NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

THE ULTRA-MARATHONERS OF HUMAN SMUGGLING: DEFENDING FORWARD AGAINST DARK NETWORKS THAT CAN TRANSPORT TERRORISTS ACROSS AMERICAN LAND BORDERS

by

Todd Bensman

September 2015

Thesis Advisor:	Rodrigo Nieto-Gomez
Second Reader:	Carolyn Halladay

Approved for public release; distribution is unlimited

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE			Form Approved OMB No. 0704–0188

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC 20503.

1. AGENCY USE ONLY *(Leave blank)*	2. REPORT DATE September 2015	3. REPORT TYPE AND DATES COVERED Master's thesis

4. TITLE AND SUBTITLE
THE ULTRA-MARATHONERS OF HUMAN SMUGGLING: DEFENDING FORWARD AGAINST DARK NETWORKS THAT CAN TRANSPORT TERRORISTS ACROSS AMERICAN LAND BORDERS

5. FUNDING NUMBERS

6. AUTHOR(S) Bensman, Todd

7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)
Naval Postgraduate School
Monterey, CA 93943-5000

8. PERFORMING ORGANIZATION REPORT NUMBER

9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES)
N/A

10. SPONSORING / MONITORING AGENCY REPORT NUMBER

11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ____N/A____.

12a. DISTRIBUTION / AVAILABILITY STATEMENT
Approved for public release; distribution is unlimited

12b. DISTRIBUTION CODE
A

13. ABSTRACT (maximum 200 words)

National legislation requires America's homeland security agencies to disrupt transnational human smuggling organizations capable of transporting terrorist travelers to all U.S. borders. Federal agencies have responded with programs targeting extreme-distance human smuggling networks that transport higher-risk immigrants known as special interest aliens (SIAs) from some 35 "countries of interest" in the Middle East, North Africa, and Asia where terrorist organizations operate. Yet ineffectiveness and episodic targeting are indicated, in part by continued migration from those countries to the U.S. southwestern border since 9/11. Should an attack linked to SIA smuggling networks occur, homeland security leaders likely will be required to improve counter-SIA interdiction or may choose to do so preemptively. This thesis asks how SIA smuggling networks function as systems and, based on this analysis, if their most vulnerable fail points can be identified for better intervention targeting. Using NVivo qualitative analysis software, the study examined 19 U.S. court prosecutions of SIA smugglers and other data to produce 20 overarching conclusions demonstrating how SIA smuggling functions. From these 20 conclusions, seven leverage points were extracted and identified for likely law enforcement intervention success. Fifteen disruption strategies, tailored to the seven leverage points, are recommended.

14. SUBJECT TERMS
human smuggling, smuggling, dark networks, special interest aliens, third country nationals, aliens from special interest countries, border security, southwestern border, illegal immigration, counterterrorism, terrorist infiltration, border infiltration, human migration, bilateral relationships, countries of interest, countries of special interest, systems theory

15. NUMBER OF PAGES
169

16. PRICE CODE

17. SECURITY CLASSIFICATION OF REPORT	18. SECURITY CLASSIFICATION OF THIS PAGE	19. SECURITY CLASSIFICATION OF ABSTRACT	20. LIMITATION OF ABSTRACT
Unclassified	Unclassified	Unclassified	UU

NSN 7540–01-280-5500

Standard Form 298 (Rev. 2–89)
Prescribed by ANSI Std. 239–18

THIS PAGE INTENTIONALLY LEFT BLANK

Approved for public release; distribution is unlimited

THE ULTRA-MARATHONERS OF HUMAN SMUGGLING: DEFENDING FORWARD AGAINST DARK NETWORKS THAT CAN TRANSPORT TERRORISTS ACROSS AMERICAN LAND BORDERS

Todd Bensman
Manager and Program Specialist, Texas Department of Public Safety
Intelligence and Counterterrorism Division
B.A., Northern Arizona University, 1987
M.A., University of Missouri, 2009

Submitted in partial fulfillment of the
requirements for the degree of

MASTER OF ARTS IN SECURITY STUDIES
(HOMELAND SECURITY AND DEFENSE)

from the

NAVAL POSTGRADUATE SCHOOL
September 2015

Approved by: Rodrigo Nieto-Gomez
Thesis Advisor

Carolyn Halladay
Second Reader

Mohammed Hafez
Chair, Department of National Security Affairs

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

National legislation requires America's homeland security agencies to disrupt transnational human smuggling organizations capable of transporting terrorist travelers to all U.S. borders. Federal agencies have responded with programs targeting extreme-distance human smuggling networks that transport higher-risk immigrants known as special interest aliens (SIAs) from some 35 "countries of interest" in the Middle East, North Africa, and Asia where terrorist organizations operate. Yet ineffectiveness and episodic targeting are indicated, in part by continued migration from those countries to the U.S. southwestern border since 9/11. Should an attack linked to SIA smuggling networks occur, homeland security leaders likely will be required to improve counter-SIA interdiction or may choose to do so preemptively. This thesis asks how SIA smuggling networks function as systems and, based on this analysis, if their most vulnerable fail points can be identified for better intervention targeting. Using NVivo qualitative analysis software, the study examined 19 U.S. court prosecutions of SIA smugglers and other data to produce 20 overarching conclusions demonstrating how SIA smuggling functions. From these 20 conclusions, seven leverage points were extracted and identified for likely law enforcement intervention success. Fifteen disruption strategies, tailored to the seven leverage points, are recommended.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

I. INTRODUCTION 1
- A. HISTORICAL CONTEXT 3
  - 1. Defending Forward 8
  - 2. Special Interest Aliens and the Ultra-Marathoners of Smuggling 10
  - 3. The Problem: A Tenacity of Geographical Black Holes 14
- B. THESIS PURPOSE AND SCOPE: FILLING VOIDS IN STRATEGY AND SCHOLARSHIP 18

II. LITERATURE REVIEW 21
- A. THE GREAT DIVIDE 21
- B. TRAVERSING A SPAN OF THEORY 23
- C. SIA SMUGGLING NETWORKS AS SOCIAL NETWORK "SYSTEMS" 24
- D. INTERNATIONAL CONDITIONS AND GEOPOLITICS 27

III. METHODOLOGY 33
- A. DATA COLLECTIONS 34
  - 1. U.S. Court Prosecution Records 34
  - 2. Triangulation and Validation 37
- B. PROCEDURE 39

IV. ULTRA-MARATHON SMUGGLING: A STRATEGIC UNDERSTANDING 47
- A. THREE SMUGGLING STRUCTURES 47
- B. ORGANIZATIONAL ARCHITECTURES 51
  - 1. Kingpins 53
  - 2. Trusted Sub-contracted Confederates (the Inner Circle) 53
  - 3. Indigenous Partners (the Outer Circle) 54
- C. KEY NETWORK CHARACTERISTICS 57
  - 1. Nonviolent leaderships 57
  - 2. Profit or Ideology 58
  - 3. Ethnic Affinity 62

V. FROM CRITICAL ENABLING MOBILITY FACTORS: THE LEVERAGE POINTS 65
- A. THE KINGPINS 69

B. FOREIGN CONSULATES AND EMBASSIES OF LATIN AMERICA 72
C. GAMING THE U.S. ASYLUM SYSTEM 80
D. ETHNIC DIASPORA COMMUNITIES 84
E. CATCH, REST AND RELEASE: INSTITUTIONAL WEAKNESS, PASSIVITY, CORRUPTION AND POLICY IN KEY TRANSIT NATIONS 88
F. ROUTES: MAPPING STAGES AND LAUNCHES BEYOND THE WESTERN HEMISPHERE 97
G. ROUTES: LANDINGS AND NORTHWARD MARCHES IN LATIN AMERICA 102

VI. CAT AND MOUSE: SMUGGLERS AND LAW ENFORCEMENT 105
A. THE SMUGGLERS 106
1. Antennae for Change and Adaptation 107
2. Cloaking Identification 108
3. Money Transfers Obfuscated 109
4. Communications 110
B. U.S. LAW ENFORCEMENT AND INTELLIGENCE OPERATIONS 111
1. The Smuggled as an Investigative Resource 112
2. Undercover Agent Insertions 113
3. Inserting Paid Informants into U.S. Detention Facilities 114
4. Arrested Smugglers Providing Information 115
5. Confidential Informants 115

VII. STRATEGY RECOMMENDATIONS 117
A. FOREIGN SECURITY ASSISTANCE, DEVELOPMENT AID, AND ASSERTIVE DIPLOMACY 119
B. DIPLOMATIC INFLUENCE CAMPAIGN 126
C. U.S. INTELLIGENCE COLLECTION OPERATIONS: NETWORK WARFARE 128

VIII. CONCLUSION 131

SUPPLEMENTAL. COURT CASE FILES 137

LIST OF REFERENCES 139

INITIAL DISTRIBUTION LIST 147

LIST OF FIGURES

Figure 1. Countries of Special Interest in Middle East, Africa, and Asia 12

Figure 2. Image of an Original White House Document Retrieved from the George W. Bush Presidential Library 38

Figure 3. Screen Captured Image of NVivo Project 41

Figure 4. Parent and Child Nodes Discovered in NVivo 43

Figure 5. Ahmr Bahnan Boles 51

Figure 6. Full-service Organizational Structure 52

Figure 7. Interior Office of Gautemala's Honorary Consul to the Kingdom of Jordan, Circa 2007 74

Figure 8. Three Iraqi Kurds Detained in Texas 79

Figure 9. Zone 1 in Guatemala City 86

Figure 10. A Truck Crossing the Border between Mexico and Guatemala 90

Figure 11. Unregulated Inner Tube Traffic on the Mexico-Guatemala Border 93

Figure 12. Departures from Middle East, Africa, and South Asia, and Initial Landings in the Western Hemisphere 99

Figure 13. Departure Routes from Africa to Latin America 100

Figure 14. Departure Routes from South Asia to Latin America 101

Figure 15. Travel Routes into the United States via Latin America 104

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF TABLES

Table 1. Court Cases Examined.....35

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF ACRONYMS AND ABBREVIATIONS

AIAI	Al-Ittihad al-Islamiya
CBP	Customs and Border Protection
CIA	Central Intelligence Agency
CRS	Congressional Research Service
DHS	Department of Homeland Security
DOJ	Department of Justice
GAO	Government Accountability Office
HIS	Homeland Security Investigations
ICE	Immigration and Customs Enforcement
ILO	Immigration Liaison Officer
NSA	National Security Agency
OTM	Other than Mexican
PACER	Public Access to Court Electronic Records
SIA	Special Interest Alien
SNA	Social Network Analysis
USCIS	U.S. Citizen and Immigration Service
UNODC	United Nations Office on Drugs and Crime
VoIP	Voice over Internet Protocol

THIS PAGE INTENTIONALLY LEFT BLANK

EXECUTIVE SUMMARY

Because of the 9/11 attacks, national legislation required America's homeland security agencies to dismantle transnational human smuggling organizations capable of transporting terrorist travelers to U.S. borders. Federal agencies responded with programs targeting extreme-distance human smuggling networks that transport higher risk immigrants known as special interest aliens (SIAs) to the country's land borders. SIAs are identified based on their citizenship in some 35 countries in the Middle East, North Africa, and Asia where terrorist organizations operate. SIA smuggling networks are substantially different than other human smuggling networks because they span continents and oceans, as well as dozens of nations' borders over many months.

Some American enforcement efforts to dismantle SIA networks since 9/11 have occurred in countries along established smuggling passages through South America, Central America, and Mexico. Numerous indicators, however, suggest ineffectiveness of effort; for instance, SIAs have consistently reached the U.S. southwestern border since 9/11. This tenacity occurs in a relative void of academic literature; no systematic studies to date address this form of extreme-distance human smuggling—the only kind considered a terrorism-related homeland security threat. This thesis stands as a resource for homeland security policy leaders in the event of an attack by an SIA who illegally crossed the U.S. land border, or to mitigate perceived threats prior to any tragedy. But the results of this study also should be generalizable to smuggling of any migrant type that might replace SIAs as the threat of the day.

This thesis asks how SIA smuggling networks function as systems working in complex, diverse geopolitical environments, so that their most vulnerable leverage points can be identified for better intervention targeting. Using NVivo qualitative analysis software, the study examined unstructured archival data from the total discoverable body of U.S. federal court prosecutions of SIA smugglers between September 2001 and September 2015. The number of cases reached 19. To enhance validity and contextual accuracy, the investigation pursued a triangulation method using a separate volume of non-court narrative data, such as the public testimony of U.S. security leaders, official

government reports, and credible media information. The data was entered into NVivo and coded into common themes, which emerged during reading and analysis processes.

Further analysis of the resulting themes and patterns produced more than 20 major conclusions about SIA smuggling, to include their internal architectures, routing choices displayed in maps, and most critical enabling factors. For instance, the thesis provides key common traits of SIA smuggling operators: their motivations, nationalities, leadership styles, and specializations. It identifies critical "enabling factors," without which the studied SIA smuggling networks likely could not have operated, including specific institutional conditions in the six most frequently used Latin American transit and staging countries. The most common operational security and evasion methods used by SIA smugglers are detailed, along with the most common law enforcement tactics that were employed to defeat them abroad.

From the revealed behavioral traits and operational eccentricities of SIA smuggling, the thesis next extracts and identifies seven major leverage points that American targeting and intervention likely will yield the greatest disruptive impacts. Among the identified leverage points, for instance, were the reliance of SIA smugglers and their clients on fraud vulnerabilities in the U.S. political asylum system, their acquisition of crucial travel permissions from the Middle East consulate offices of Latin American countries, and the catch-rest-and-release policies of certain transit countries.

Understanding these leverage points in their proper contexts may inform future, more effective policy and disruption efforts. Fifteen strategies are recommended to pressure specific leverage points; these fall into two general tiers: significant new investment in covert intelligence collection operations, and conventional law enforcement investigations, both enabled by redoubled diplomatic and foreign aid initiatives targeting at least six countries. Lastly, the data was sufficient to paint a rare picture of the conflict between smugglers and law enforcement abroad. The data revealed common smuggler evasion and operational security methods, as well as American law enforcement tactics abroad that worked—a rarely revealed homeland security activity. An understanding of this dynamic cat-and-mouse game in foreign spaces, along with the overview of network

architecture and key characteristics of smugglers, provide important insight for American leaders for when they decide to chart better strategies.

Additionally, this thesis aspires to fill a conspicuous void in migration studies and theory. It argues that ultra-distance people smuggling should be added to the pantheon of migration studies as a unique form deserving of further study, particularly because SIA traffic is regarded as a homeland security problem justifying significant public investments.

THIS PAGE INTENTIONALLY LEFT BLANK

ACKNOWLEDGMENTS

Not until I was neck-deep in thesis research material did I start to grasp the extent of sacrifice by the men and women of Immigration and Customs Enforcement (ICE) who, serving far from home and sight-unseen, hunted terrorist travelers and the smuggling networks at the heart of this project. Their often dangerous, clandestine, and complex investigative work in difficult foreign posts has gone insufficiently recognized. ICE's forward-deployed foot soldiers deserve gratitude for the largely unsung exploits revealed in the 19 cases I studied and all those left unrevealed. More like them are needed.

This thesis and my completion of studies at the Center for Homeland Defense and Security at the Naval Postgraduate School would not have been possible without the support of my Texas Department of Public Safety leadership. I owe special gratitude to Assistant Director John Jones, a Navy SEAL combat veteran who leads the Intelligence and Counterterrorism Division where I work, for his unhesitating thumbs-up and subsequent support of my seven retreats to the California campus. Heartfelt appreciation also goes to DPS Director Steve McCraw for permitting this endeavor, without blinking.

I sincerely thank the school for this opportunity to study—and for its unstinting academic rigor, which I appreciate much more now that it is all ended. Thank you Dr. Rodrigo Nieto-Gomez, my long-suffering thesis adviser. The influence of his immigration and border security expertise is evident throughout this thesis. Thank you to second reader Carolyn Halladay, whose wry humor, incisive commentaries, and that one rhetorical shoulder shaking at The Trident helped get me through the storm.

To my daughters, Abigail and Jillian: Thank you for bearing the loss of far too much Daddy time. That was just as bad for me. When you get older, you'll understand that I did this with you greatly in mind. To my wife, Salina: We know what you did for me; please know that I know what it took. With love, I will never forget.

THIS PAGE INTENTIONALLY LEFT BLANK

I. INTRODUCTION

On June 24, 2008, Somalia natives Abdullahi Omar Fidse and Deka Abdalla Sheikh walked across the pedestrian bridge from Reynosa, Mexico to the Hidalgo, Texas Port of Entry and requested political asylum from an American immigration officer. Their journey had been far longer and more arduous than any of the Mexican nationals with whom they walked that final leg.[1] For $4,000 each, an Ethiopian "gang" had smuggled Fidse and Sheikh from Africa all the way to the Texas-Mexico border on counterfeit passports and Mexican visas.[2] The pair told authorities they had only met during the trek to Texas, but had fled Somalia and needed American sanctuary for the same reason: the terrorist group al-Shabaab killed their family members. The story worked for Sheikh; she was quickly awarded asylum and took up permanent residence in Fitchburg, Wisconsin, on a path to American citizenship. While still in Texas detention, however, Fidse confided to two fellow Somalis—who turned out to be paid FBI informants—that he actually came to conduct an unspecified "operation" for al-Shabaab.[3]

Fidse went on as the informants secretly recorded him. He said he once was involved in an abortive plot to attack the U.S. ambassador in Kenya, drawing out the assassination plans and describing how mines would have been used to "blow up" the U.S. Marines in the protective detail. Fidse said he adored al-Qaeda leader Osama bin Laden. He confided that he had gotten military training at a camp run by an Afghanistan war veteran and had extensive knowledge of heavy weapons, including shoulder-fired rockets, machine guns, AK-47 assault rifles, and explosives.[4] In other conversations, Fidse indicated he had procured a $100,000 battlewagon for al-Shabaab that unfortunately was blown up, killing all aboard, in a 2006 battle with Ethiopian forces at

---

[1] United States v. Abdullahi Omar Fidse and Debkah Abdallah Sheikh, 5th Cir. Ct. (W.D. Tex., 2011), Detention Order, Document 26; Unsealed Indictment, Document 3.

[2] United States v. Fidse and Sheikh, Narrative from Immigration and Naturalization Service, Document 11, Exhibit 1, Narrative from Immigration and Naturalization Service.

[3] United States v. Fidse and Sheikh, Defendant's Motion to Dismiss for Due Process Violation, Document 58.

[4] United States v. Fidse and Sheikh, Document 26; Document 214 (filed February 13, 2015).

Idaale, Somalia.[5] Fidse said he cried when a U.S. airstrike killed al-Shabaab leader Aden Hashi Ayrow, and that 'the infidels must suffer the consequences."[6] Investigators found a phone number in Fidse's cell phone memory card belonging to a well-known al-Shabaab terrorist later implicated in a 2010 Uganda soccer stadium bombing that killed more than 70 spectators.[7] Fidse's sworn asylum story fell apart and unraveled Sheikh's too. The FBI learned the pair had been married for years, rather than recently introduced travel acquaintances. In 2012, Sheikh and Fidse pleaded guilty to asylum fraud and obstructing a terrorism investigation.[8]

Their case and others like it underscore a consequential sense of American insecurity spawned by the 9/11 attacks: that overseas terrorists could infiltrate a porous border and attack at any time. This thesis seeks to understand the kind of extreme-distance human smuggling organizations that can bring terrorist travelers and illegal entrants like Fidse to American land borders, the only human smuggling network type deemed a U.S. terrorism-related national security threat. Nineteen U.S. prosecutions from September 2001 through September 2015, deconstructed for this thesis, demonstrate that such networks remain capable of transporting migrants to U.S. land borders from countries that violent Islamists call home. Specifically, this thesis asked: What are the systemic design and key vulnerabilities in the human smuggling networks that transport such immigrants to American borders, over extremely long distances, from nations where terrorist organizations are present in the Middle East, South and Central Asia, and North Africa? A central aim is to establish how these clandestine enterprises persist despite public investments to dismantle them since 9/11 and if potential leverage points for law enforcement intervention can be identified to help reduce the risk—before or after—a border-crossing terrorist strikes.

---

[5] United States v. Fidse and Sheikh, Document 26; United States Court of Appeals for the Fifth Circuit, Judgement, No. 13-50734, Docket No. 5:11-CR-425-FB-1, Document 214, Filed February 13, 2015.

[6] Ibid.

[7] United States Court of Appeals for the Fift Circuit Judgement, Document 214.

[8] Ibid.; Document 164, filed 12/10/12, Government's Notification Regarding Counts 3, 4, 5, and 6.

A. HISTORICAL CONTEXT

> Targeting travel is at least as powerful a weapon against terrorists as targeting their money. The United States should combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorists, find terrorist travel facilitators and constrain terrorist mobility.
>
> —*9/11 Commission Report*

In the two decades before the September 11, 2001 terror attacks, American strategic thinking about border security focused almost entirely on the clandestine ebbs and flows of Mexican laborers and those living in the country illegally. In 2000, former President George W. Bush took office promising to accommodate the American economy's labor demands with a temporary worker visa program. His program would have legally normalized millions of Mexican workers while simultaneously reducing their need to clandestinely cross the U.S. border. The newly seated president understood the problem from the perspective he acquired as governor of the border state of Texas. The president's plan was such a priority that his first foreign trip, in February 2001, took him to Mexico to discuss reform with his enthusiastic counterpart, President Vicente Fox.[9] Momentum toward a bilateral accord had advanced to such a degree by September 5, 2001, that President Fox and his wife came to the White House for the American president's first state dinner and further discussions.

But, as the president would write in his post-office memoir, "then 9/11 hit."[10]

A mere six days after the Fox visit to the White House, everything changed. As President Bush later wrote: "My most serious concern was that terrorists would slip into our country undetected. I put the idea of a temporary worker program on hold and concentrated on border security."[11] The former president's choice of the term "border security"—rather than the previously favored "immigration reform" —signaled the profound extent to which the outlook had pivoted from accommodating Spanish-speaking

---

[9] "Travels of President George W. Bush," U.S. Department of State Office of the Historian, accessed July 22, 2015, https://history.state.gov/departmenthistory/travels/president/bush-george-w.

[10] George W. Bush, *Decision Points* (New York: Crown Publishing Group, 2011), 302.

[11] Ibid.

laborers, to blocking illegal entries of those who spoke the languages of the Middle East, Central and South Asia, and North Africa. In the years since, advocates and opponents of more restrictive or lenient immigration policies have offered dueling narratives for the true motive behind the landmark shift.

Those seeking to mobilize support for a softer enforcement posture have frequently lamented the ensuing association of immigration with national security, which provides a compelling rationale for more restrictive policies.[12] But a variety of internal White House memoranda on file in the George W. Bush Library in Dallas,[13] as well as consistent public statements by administration officials in the aftermath of 9/11, lend more credence to the narrative that terrorist infiltration, as a threat priority, did authentically supplant the leniency reforms Bush was earnestly preparing only the week before 9/11. Ryan Bounds, the president's domestic policy advisor on immigration, framed the White House thinking that informed border policy from 9/11 to the end of Bush's second term and beyond. In a 2009 memorandum to the President, titled "Immigration Reform Legacy," he explained:

> The prospects for a deal with Mexico were upended by the terrorist attacks of September 11, 2001. Although both Presidents remained supportive…an agreement of the kind under discussion earlier in 2001 was much lower on the list of priorities and no longer viable in any event. Instead, the national focus with respect to immigration issues immediately shifted to tighter borders and more robust enforcement….The Bush administration is committed to ensuring that our immigration policies and practices do not allow terrorists to enter or remain in the United States.[14]

---

[12] Christopher P. Rudolph, *National Security and Immigration: Policy Development in the United States and Western Europe Since 1945* (Stanford, CA: Stanford University Press, 2006) 203.

[13] Textual materials retrieved for supervised examination included the files of the following members of the White House Domestic Policy Council: Deputy Chief of Staff Joshua B. Bolton, Special Assistant to the President Ryan W. Bounds, Special Assistant to the President Todd Braunstein, Special Assistant to the President Jay Lefkowitz, and Special Assistant to the President Kristin Hughes. Other examined textual materials came from the Bush Record Policy Memo files of White House Staff Secretary Thomas von der Heydt.

[14] Ryan Bounds, "Information Memorandum for the President, Immigration Reform Legacy," Memorandum to President, undated from 2009 file folder. Official records of George W. Bush's presidency are housed at the George W. Bush Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Counterterrorism and illegal immigration were thus fused as an undifferentiated strategic priority, with emphasis on terrorism prevention via immigration enforcement.

Although the 9/11 attacks brought the issue home in emphatic fashion, the shift in emphasis on a terrorist infiltration threat actually began years earlier. Throughout the 1990s, national border control policy was concerned mainly with more aggressively managing illegal Mexican migration and drug running. As one Congressional Research Service (CRS) report points out, however, with the first World Trade Center bombing in 1993, the sense first dawned that the borders might be vulnerable to undesired entries by a new kind of enemy, al Qaeda.[15] The 1998 Africa embassy bombings, and prominent plots involving violent Islamist extremists who had crossed the northern border, deepened that awareness. The cases prompted government-appointed commissions to study vulnerabilities to terrorist infiltration.[16] Among the thwarted plots was the highly publicized 1997 New York subway-bombing scheme, planned by two Palestinians who illegally crossed the Canadian border into Washington State.[17] Then, in 1999, two al Qaeda operatives crossed into Washington State with plans to bomb Los Angeles International Airport.[18] Even as more legislation and appropriations were dedicated to controlling Mexican migration and drug trafficking during the 1990s, several high-profile bipartisan government commissions published reports identifying land borders as vulnerable to terrorist infiltration.[19]

---

[15] Chad C. Haddell, (2010). *People Crossing Borders: An Analysis of Border Protection Policies* (CRS Report No. R41237) (Washington, DC: Congressional Research Service, 2010), 4.

[16] Marc R. Rosenblum, Jermoe P. Bjelopera, and Kristin M. Finklea. *Border Security: Understanding Threats at U.S. Borders* (CRS Report No. R42969) (Washington, DC: Congressional Research Service, 2013), 2.

[17] "Motive Sought in New York Subway Bomb Plot," *CNN*, August 2, 1997, http://www.cnn.com/US/9708/02/brooklyn.bomb.pm/index.html?_s=PM:US.

[18] Edward Alden, *The Closing of the American Border: Terrorism, Immigration and Security Since 9/11*, 1st ed. (New York: Harper-Collins, 2008), 40.

[19] The official names and creation dates of the Commissions are as follows: (1) Gilmore Commission, known officially as The Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, created on October 17, 1998 (P.L. 105–241); (2) Bremer Commission, known officially as The National Commission on Terrorism, created on October 21, 1998 (P.L. 105–277); and (3) the Hart-Rudman Commission, known officially as The U.S. Commission on National Security / 21st Century, created on September 2, 1999; Ibid.; *Border Security: Immigration Enforcement between Ports of Entry*

Still, it was only after the 9/11 attacks that polling showed the American public, more fearful than before, wanted immigration enforcement that protected the country from terrorist traveler infiltration by air, sea, and land border.[20] Although the 19 hijackers of the 9/11 attacks had entered by visa and identity fraud—not through land borders—the hypothesis was that similarly probing follow-on attackers would find those gaps. Numerous post-9/11 government commission reports drove the point home. Among them was the 2004 9/11 Commission staff report on Terrorist Travel, which cited intelligence linking Islamic terrorists to Latin American smuggling networks, and the 2001 California border crossing of a ranking Hezbollah operative later convicted of terrorism.[21]

What emerged was a new paradigm merging counterterrorism and immigration strategy, its onus more on stopping migrants from countries where Islamic terrorists operate than on Mexican migrants. Alden and many other specialists acknowledged it was the attacks that left policymakers believing that: "the obvious solution to the threat of terrorists crossing U.S. borders was simply to beef up enforcement through tougher scrutiny of border crossers; greater inspection of vehicles; and the use of Border Patrol agents, physical barriers, and sensing devices to safeguard the barren regions between the official border crossings."[22] Andreas also acknowledges that, in a relatively short time, the attacks changed border control "from a low-intensity, low-maintenance, and politically marginal activity to a high-intensity, high-maintenance campaign commanding enormous political attention on both sides of the territorial divide."[23]

The Homeland Security Act (HSA) of 2002 was the first in a series of new laws and national strategic plans that cemented the foundations of the new border security counterterrorism regime. A common denominator of the legislation and planning was a

---

[20] Joseph Carroll, "American Public Opinion About Immigration," Gallup, July 25 2005, http://www.gallup.com/poll/14785/immigration.aspx; Lydia Saad, "Americans More Pro-Immigration Than in the Past," Gallup, July 11, 2013, http://www.gallup.com/poll/163457/americans-pro-immigration-past.aspx.

[21] Thomas Eldridge, Walter Hempel Ginsburg, Jancie Kephart, Janice L., and Kelly Moore. *9/11 and Terrorist Travel* (Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004).

[22] Alden, *The Closing of the American Border*, 36–37.

[23] Peter Andreas, *Border Games: Policing the U.S.-Mexico Divide* (Ithaca, NY: Cornell University Press, 2012, Kindle Edition), 58–60.

priority insistence on preventing terrorist infiltration and travel, as assisted by transnational smugglers, over land borders.[24] The 2002 HSA described this objective as "preventing the entry of terrorists and terrorist weapons" by threat actors described as "transnational terrorists, transnational criminals and unauthorized migrants."[25] The new legal mandate spawned strategy documents among federal agencies. The Central Intelligence Agency's (CIA) National Strategy to Combat Terrorism described one of its top goals as "denying terrorists entry to the United States" by disrupting their travel "internationally and across and within our borders," and undermining the "illicit networks" and "in-house forgery operations" providing false identification documents that facilitate the travel.[26]

Beyond engaging the CIA, the laws merging counterterrorism with immigration control also tellingly placed primary enforcement responsibility on Immigration and Customs Enforcement (ICE) and the U.S. Border Patrol. The first of several Border Patrol strategic plans in 2005, for instance, marked that agency's new priority mission as: "establishing substantial probability of apprehending terrorists and their weapons as they attempt to enter illegally between ports of entry."[27] Other new laws followed. The Secure Fence Act of 2006 states that its purpose is "the prevention of all unlawful entries to the U.S., including entries by terrorists."[28] As a result, spending on border patrol agents more than tripled by 2014, and the number of field agents doubled to 21,000.[29]

For the first time, countries where al Qaeda and other terrorist organizations operated were put on lists, their emigrants singled out as higher risk and for extra scrutiny

---

[24] *Homeland Security Act of 2002*, Pub. L. No. 107–296, Title IV, Subtitle A, Sec. 401 (2001).

[25] Ibid.

[26] The White House, *National Strategy for Preventing Terrorism* (Washington, DC: The White House, 2006), http://georgewbush-whitehouse.archives.gov/nsc/nsct/2006/.

[27] U.S. Customs and Border Protection, *National Border Patrol Strategy* (Washington, DC: U.S. Department of Homeland Security, 2005), Executive Summary, www.au.af.mil/au/awc/awcgate/dhs/national_bp_strategy.pdf+&cd=1&hl=en&ct=clnk&gl=us.

[28] *Secure Fence Act of 2006*, H.R. Rep. No. 6061, Sec. 2(b) (2002), http://www.gpo.gov/fdsys/pkg/BILLS-109hr6061enr/pdf/BILLS-109hr6061enr.pdf.

[29] "Enacted Border Patrol Program Budget by Fiscal Year: 1990–2014," U.S. Border Patrol, accessed July 22, 2015, http://www.cbp.gov/sites/default/files/documents/BP%20Budget%20History%201990-2014_0.pdf.

based on citizenship in those countries. Within months of the 9/11 attacks, for instance, a 2002 Immigration and Naturalization Service (INS) alien registration program foreshadowed which high-risk nationalities were to be singled out. These targeted individuals consisted of "certain non-immigrant aliens presenting an elevated national security threat" from 112 identified countries that included Iran, Libya, Sudan, and Syria. For that early program, anyone from these countries had to be registered, fingerprinted, photographed, interviewed, and tracked.[30] After counterterrorism was grafted onto legacy anti-drug and immigration control missions, domestic law enforcement and intelligence agencies zeroed in on this minority of migrant travelers from the high-risk countries.[31]

1. Defending Forward

The melding of counterterrorism and immigration enforcement may have called for a stepped-up domestic interior strategy, a home game, targeting non-citizens from the "sending" countries of the Middle East, Asia, and North Africa, deemed of higher risk. But a new "away" game strategy emerged on foreign soil at the same time. This foreign strategy reflected the dramatic reordering of all previously understood spatial boundaries of immigration control. Rollins has described the new strategy as a "transnational approach."[32] It deployed domestic law enforcement agencies, the intelligence services and military assets on a mission of border security and immigration control far from the fixed physical lines of home. The transnational approach to border security sought to interdict and confront terrorists long *before* they could reach homeland borders, whether through law enforcement investigations, military adventures, or outright spying. Borders were reframed as a last line of defense rather than as the first.

This move to defend forward on border security was not merely a theoretical whim; it was the law. In addition to the Homeland Security Act of 2002 already

---

[30] "U.S. Attorney General Announces Registration Requirements for Certain Nonimmigrant Aliens," U.S. Department of Justice, November 6, 2002; "Second Phase of National Security Entry-Exit Registration System Announced," U.S. Department of Justice, November 22, 2002, http://www.justice.gov/archive/opa/pr/2002/November/02_ag_649.htm.

[31] Haddell, *People Crossing* Borders, 10–12.

[32] John Rollins, "Ten Years After the Terrorist Attacks of 9/11: The Need for a Transnational Approach to Address Risks to Global Security Interests," *Homeland Security Affairs* 7, no. 2 (September 2011).

discussed, the hallmark Intelligence Reform and Terrorism Prevention Act of 2004 mandated "a cohesive effort to intercept terrorists, find terrorist travel facilitators, and constrain terrorist mobility domestically and internationally."[33] The act created a Human Smuggling and Trafficking Center to collect intelligence on human smuggling and "clandestine terrorist travel," far from American borders.[34] The game had been moved.

Immigration scholars have provided identifying terminology for the new forward defense framework: "geographically focused," "borders-in, borders-out," "border thickening," or "fortress versus complex organism model."[35] The war on terror and 9/11 were duly credited. Ingram and Dodds, for instance, blame the West's war on terror for a new "geopolitical order—a "spatial reordering" where traditional state boundaries were cast across foreign spaces to hunt "undesirables."[36] New anxieties about sleeper terrorist immigrants and asylum seekers inspired "securitization" of immigrants coming from countries such as Afghanistan, and Iraq, and neighboring countries such as Pakistan.[37] Muller points out that western industrialized nations wanted their land borders to protect against the usual illicit contraband, but they also were now seen as a defense line against unwanted immigrants from terror-sponsoring countries.[38] Muller laments that the 9/11 attacks caused Europe and the United States to implement a new era of the "thickened border" and the "proliferation of borders" to conduct enforcement, risk management, and preemptive assessments against certain undesired migrants, refugees, and asylum seekers who he said may not deserve the suspicion.[39]

---

[33] *Intelligence Reform and Terrorism Prevention Act of 2004*, Pub. L. 108–458, Sec. 7201, b1, http://www.state.gov/m/ds/hstcenter/.

[34] Human Smuggling and Trafficking Center, *Establishment of the Human Smuggling and Trafficking Center: A Report to Congress* (Washington, DC: U.S. Department of Homeland Security, 2005), http://www.state.gov/documents/organization/49600.pdf.

[35] Ibid.; Haddell, *People Crossing Borders*, 12.

[36] Alan Ingram and Klaus Dodds, *Spaces of Security and Insecurity: Geographies of the War on Terror* (Burlington, VT: Ashgate, 2009), 8–9.

[37] Ibid.

[38] Benjamin J. Muller, *Security, Risk and the Biometric State: Governing Borders and Bodies* (New York: Taylor & Francis, 2010), 14.

[39] Ibid.

The U.S. combined counterterrorism-immigration management strategy occurs in a distant ecosystem where state authority actors and undesired clandestine commerce swirl and interact. SIA smuggling networks qualify as the "dark networks" described by counterinsurgency scholar Sean Everton.[40] These are clandestine enterprises that profitably move outlawed contraband and unwanted people as part of a vast underground economy, invisibility their greatest competitive advantage. In this kind of business, handshake bargains are struck for journeys, false documents and ill-gotten visas in Middle Eastern casabas, Kenyan refugee camps, and outside foreign embassy gates. The journeying itself occurs, both seen and unseen, in the unpoliced jungles of Colombia and Panama, in speedboats off the Pacific coast of Guatemala, at the ungoverned borderlands of developing African nations, and in the bus depots of Bolivia and Peru. The smugglers and their clients are state prey. Inside Guatemala, prior to 9/11, U.S. law enforcement targeted mainly sex trafficking networks moving women and children through the country.[41] After 9/11, however, U.S. assets in the region switched to target smugglers of people from Islamic countries.[42] The smugglers are well aware that American law enforcement and intelligence personnel are there to detect and arrest, which in turn drives evasion and adaptation. While a standard nomenclature remains elusive for these spaces, Hyndman and Mountz describe them one apt way as "non-sovereign, non-contiguous territories…where the legal status of persons being detained and processed remains unclear."[43] This description evokes the notion of these spaces as amorphous, dark, and clandestine areas of conflict between elusive migrants and state actors in hot pursuit.

2. Special Interest Aliens and the Ultra-Marathoners of Smuggling

A new lexicon emerged for high-risk immigrants—these migrants now fell into a category called "Other than Mexicans" (OTMs). As early as 2004, coinciding with new

---

[40] Sean Everton, *Disrupting Dark Networks* (Cambridge: Cambridge University Press, 2012), xxv.

[41] Todd Bensman, "Breaching America: The Latin Connection." *San Antonio Express-News*, May 21, 2007.

[42] Ibid.

[43] Jennifer Hyndman and Allison Mountz, "Refuge or Refusal, the Geography of Exclusion," in *Violent Geographies: Fear, Terror, and Political Violence*, ed. Derek Gregory and Allen Pred (New York: Taylor and Francis, 2007).

legislation, homeland security policy leaders began targeting an even smaller subset of OTMs. This group's profile had a unique face, unusual name, and dark meaning among a few homeland security insiders. They were called "Special Interest Aliens."[44]

The Special Interest Alien (SIA) term, and others of similar meaning, was affixed only to migrants and asylum seekers on the basis of citizenship in some 35–40 "countries of interest" in the Middle East, Asia, and North Africa identified as harboring Islamist terror groups.[45] Fidse and Sheikh were SIAs from one of the listed countries, Somalia. SIAs were to be treated very differently, regardless of whether they were authentic asylum seekers, war refugees, or economic opportunists deserving of American welcomes and legal due processes. Their different status and treatment was to ensure they were not violent Islamist extremists planning harm after their U.S. arrivals. The rationale was that if common immigrants could reach a land border from terrorist source countries such as Saudi Arabia, Afghanistan, Pakistan, Yemen, and Somalia, then so too could terrorist travelers from the same countries. The idea to brand SIAs as a unique national security concern would be an essential, though often covert and therefore publicly unsung, part of a broader border-security tapestry. The offensive strategy seemed to at least partly satisfy new legislation requirements to suppress terrorist travel abroad while defensively deploying fencing and more patrols at the home borders.

The formal SIA interdiction priority is traceable to a November 2004 memorandum from U.S. Border Patrol Chief David Aguilar to all field agents. Its dissemination coincided with the 2004 Intelligence Reform and Terrorism Prevention

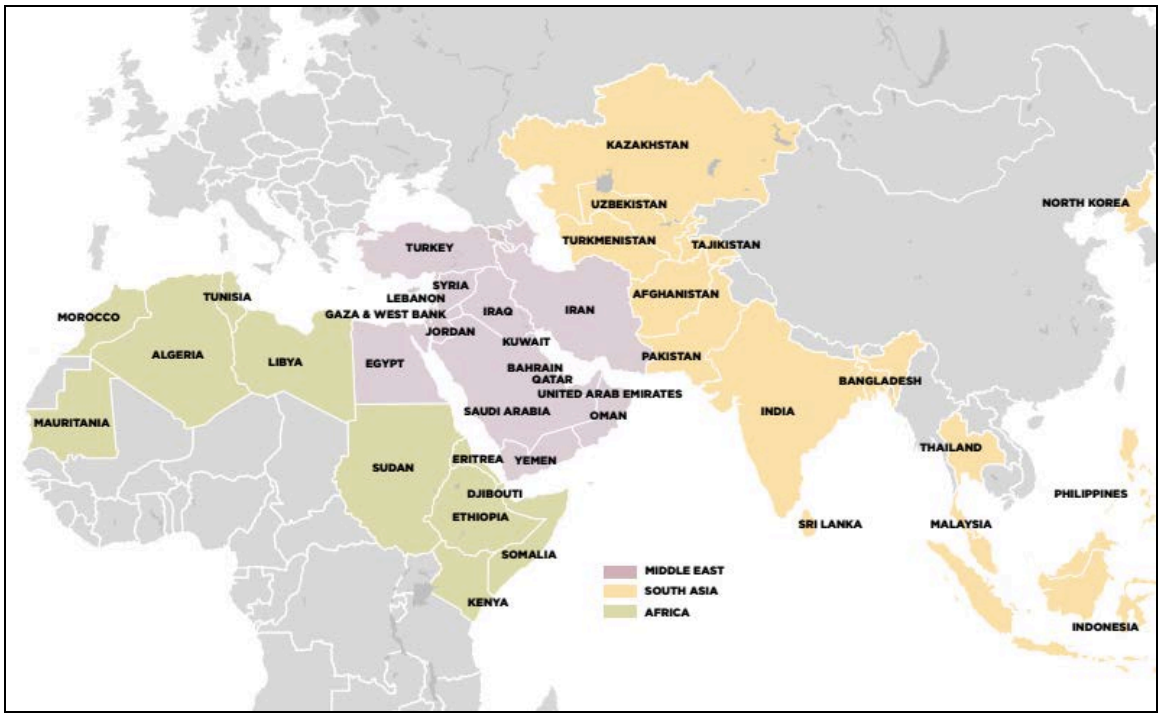
---

[44] Blas Nuñez-Neto, Alison Siskin, and Stephen Viña, *Border Security: Apprehensions of "Other than Mexican" Aliens* (CRS Report No. RL33097) (Washington, DC: Congressional Research Service, 2005) 19, http://trac.syr.edu/immigration/library/P1.pdf.

[45] Over time, different homeland security agencies referred to such migrants as "Aliens from Special Interest Countries," or "Third Country Nationals," and the number of countries on lists has sometimes fluctuated as some were added or removed. For purposes of consistency, this thesis will use the term Special Interest Aliens. A memorandum released by U.S. Border Patrol Chief Patrol Agent David V. Aguilar in November 2004 listed the following 35 countries and the territories of the West Bank and the Gaza Strip have been designated as Special Interest Countries: Afghanistan, Kuwait, Somalia, Algeria, Lebanon, Sudan, Bahrain, Libya, Syria, Bangladesh, Malaysia, Tajikistan, Djibouti, Mauritania, Thailand, Egypt, Morocco, Tunisia, Eritrea, North Korea, Turkey, Indonesia, Oman, Turkmenistan, Iran, Pakistan, United Arab Emirates, Iraq, Philippines, Uzbekistan, Jordan, Qatar, Yemen, Kazakhstan, Saudi Arabia, Territories of Gaza, and West Bank.

Act.[46] The memorandum listed the 35 countries of interest at that time and instructed border agents to take eight listed actions when immigrant citizens from any of the countries were apprehended (see Figure 1). The first step required that a "Significant Incident Report" be filed to the CBP Situation Room within one hour of any SIA apprehension. Afterward, all SIAs over the age of 14 would be put through outlined national security database checks. Their pocket contents would be seized for analysis. Most would be made subject to interviews by intelligence agencies and FBI agents.

Figure 1. Countries of Special Interest in Middle East, Africa, and Asia



The 35 countries identified in a November 1, 2004 memorandum by U.S. Customs and Border Protection Chief David Aguilar to all field agents.[47]

From the immigrants themselves, U.S. national security leaders soon learned much about the ethno-national human smuggling enterprises that enabled their long treks. These networks were rare among people-moving enterprises because they were able to

[46]David Aguilar, "Arrests of Aliens from Special Interest Countries," DHS Memorandum by U.S. Customs and Border Protection, November 1, 2004, 19, http://trac.syr.edu/immigration/library/P1.pdfhttp://trac.syr.edu/immigration/library/P1.pdf.

[47] Ibid.

span oceans and continents, and dozens of countries, moving human cargo over many months or even years. They were the ultra-marathoners of people smuggling.

To bridge such vast geographies, with their diversity of customs, border inspection, and visa requirement regimens, the SIA ultra-marathoner networks had to be more sophisticated, innovative, and elusive than any drug-smuggling network. As some American military and intelligence agencies were deployed forward to counter SIA smuggling, law enforcement agencies went with them. More investigators were sent farther abroad than ever before to find SIA immigrants and the terrorists among them.[48] So while policymakers were very publicly beefing up U.S. land borders, often amid controversy in the public square about Mexicans, domestic law enforcement agencies were put to work in foreign lands, less ostentatiously hunting the newly named SIAs and those who transported them.

To pave the way, the U.S. State Department aggressively expanded the number of cooperative counterterrorism agreements and attaché offices to some 75 countries,[49] particularly throughout Latin America, where many of SIA smuggling routes ran. The CIA and National Security Agency (NSA), too, began trolling for terrorist travel information in an unfamiliar border security mission, using their own tools. They did so using signals intelligence, imagery intelligence, and human agents, often with unevaluated, classified, and publicly unknown practices.[50] Among the domestic law enforcement agencies sent to participate was the FBI, which tasked its legal attachés to help track SIA movements and collect intelligence on their smugglers, and also to interrogate the ones who made it through the border.[51]

---

[48] Nuñez-Neto, Siskin, and Viña, *Border Security*.

[49] Penny Star, "Napolitano: DHS Is Working with Mexico on 'Special Interest Aliens' Threat along the U.S.-Mexico Border." *CNS News*, January 17, 2012, http://cnsnews.com/.

[50] Richard A. Best, Jr., *Securing America's Borders: The Role of the Intelligence Community* (CRS Report No. 7-5700) (Washington, DC: Congressional Research Service, 2010).

[51] Todd Bensman, "Breaching America."

The primary agency assigned to SIA-interdiction duty was the ICE Office of Investigations, later renamed Homeland Security Investigations (HSI).[52] ICE described the mission involving 240 agents in some 48 foreign attaché offices[53] as an effort to "aggressively pursue, disrupt and dismantle foreign-based criminal travel networks – particularly those involved in the movement of aliens from countries of national concern."[54] Department of Homeland Security (DHS) Secretary Janet Napolitano offered a rare public acknowledgment of the effort in 2012 when she said, "There's a whole category called SIAs—special interest aliens is what it stands for. We watch that very carefully. We have been working—not just with Mexico, but countries of Central America, in terms of following more closely people transiting the airports and the like. And so, again, our efforts there are to try to ... take as much pressure off the physical land border as we can."[55]

3. The Problem: A Tenacity of Geographical Black Holes

As it happens, however, the indications are that the transnational effort to suppress SIA smuggling has been less than effective—a circumstance that coincides with an absence of scholarly research or systematic study of them. Government audits and reports in recent years question if the counter-network strategy is working. One Government Accountability Office (GAO) assessment, for instance, questioned if ICE had spent too little time on its new counterterrorism alien smuggling investigations—only

---

[52] Government Accountability Office, *Border Patrol: Key Elements of New Strategic Plan Not Yet in Place to Inform Security Status and Resource Needs* (GAO-13-25) (Washington, DC: Government Accountability Office, 2012).

[53] Written testimony of ICE Homeland Security Investigations, National Intellectual Property Rights Coordination Center Director Lev Kubiak for a Senate Committee on Appropriations, Subcommittee on Homeland Security hearing titled "Strengthening Trade Enforcement to Protect American Enterprise and Grow American Jobs," July 16, 2014, http://www.dhs.gov/news/2014/07/16/written-testimony-ice-senate-committee-appropriations-subcommittee-homeland-security; Written testimony of U.S. Immigration and Customs Enforcement Homeland Security Investigations Executive Associate Director James Dinkins for a Senate Committee on Homeland Security and Governmental Affairs hearing titled "Border Security: Frontline Perspectives on Progress and Remaining Challenges," April 10, 2013, https://www.dhs.gov/news/2013/04/10/written-testimony-us-immigration-and-customs-enforcement-senate-committee-homeland

[54] Testimony of U.S. Immigration and Customs Enforcement Homeland Security Investigations Executive Associate Director James Dinkins for the U.S. House of Representatives Committee on Homeland Security subcommittee on Border, Maritime and Global Counterterrorism, 22 July 2010

[55] Star, "Napolitano: DHS Is Working with Mexico."

about 17 percent—than on traditional drug trafficking.[56] CRS analyst Richard Best noted in a 2010 assessment that, because much of the border security operations involving the intelligence services is classified, "there is no way to account for the … contribution."[57] Pointing out neglect of the SIA issue, a 2012 GAO investigation of the Border Patrol's work toward national security goals found slow progress in deterring SIA immigration.[58] It concluded that border patrol headquarters had not considered SIA smuggling to be its problem, despite a requirement in its own 2004 strategic plan. The GAO report also noted that hundreds of SIAs had reached the border and that, while these had been caught, the greatest percentage were more than 20 miles inland,[59] indicating that more were slipping undetected into the interior.

Another consideration is that numerous experts on the global crime economy write persuasively that U.S. efforts abroad have failed to adapt the old cat-and-mouse game to new realities of international criminality. The argument is that American strategy has lagged behind the international black market economy, which has boomed alongside the legitimate economy due to an explosion of trade agreements and technological advancements in communication, transportation and finance. Smuggling organizations in particular have quickly grown to unprecedented dimensions, energized and made more elusory by vast increases in cross-border flows of people and freight.[60] Moises sums up the concept by noting the United States has become virtually hapless in countering clandestine industries because they operate in "geopolitical black holes where they live

---

[56] Richard M. Stana, *Alien Smuggling DHS could Better Address Alien Smuggling along the Southwest Border by Leveraging Investigative Resources and Measuring Program Performance* (GAO-10-919T) (Washington, DC: Government Accountability Office, 2010), http://www.gao.gov/new.items/d10919t.pdf.

[57] Best, *Securing America's Borders*.

[58] General Accountability Office, *Border Patrol:Key Elements of New Strategic Plan Not Yet in Place to Inform Security Status and Resource Needs* (GAO-13-25) (Washington, DC: Government Accountability Office, 2012), 20–23.

[59] Ibid.

[60] Nils Gilman, Jesse Goldhammer, and Steve and Weber, *Deviant Globalization: Black Market Economy in the 21st Century* (New York: Continuum, 2011); Moises Naim, *Illicit: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy* (New York: Random House, 2005, Kindle Edition), 276–345.

and thrive…pushing our world in new directions that so far have eluded our capacity to comprehend, let alone arrest."[61]

Perhaps a more potent indication that enforcement strategy lags the trend is that SIAs have reached the U.S. southwestern border in steady annual numbers since the start of the post-9/11 transnational deployments of American law enforcement.[62] The true degree of successful SIA interdictions, or of their successful undetected entries, may not be knowable due in part to classification restrictions, if the information can be tracked at all. But government data reflecting SIA apprehensions, episodically obtained by media outlets, show they consistently reached the southwestern border each year since 9/11, with unknown numbers undoubtedly slipping through undetected.

For example, one set of SIA apprehension data reflecting September 2001 through 2007 showed that nearly 6,000 SIAs from 40 countries had reached the southwest border.[63] Other SIA apprehension data made public since 2007 suggest the traffic has continued at a regular pace.[64] A 2009 GAO audit of border patrol highway checkpoints 25 miles inland from the Rio Grande found more than 530 SIAs logged in 2008 alone, including three "identified as linked to terrorism."[65] A confidential Texas Department of Public Safety intelligence report leaked in 2015, citing U.S. Customs and Border Protection (CBP) data, asserted that the more than 740 encounters with SIAs in Texas

---

[61] Moises, 327.

[62]Todd Bensman, "Have Terrorists Crossed? Border Security Critics Assert No Terrorist Has Ever Illegally Jumped U.S. Borders; They Would Be Wrong," The Investigative Project on Terrorism, March 28, 2008, http://www.investigativeproject.org/625/have-terrorists-crossed#.

[63] Todd Bensman, "Breaching America: War Refugees or Terror Threat?" *San Antonio Express News*, May 20, 2007

[64]Judicial Watch Press Room. "Judicial Watch Obtains New Border Patrol Apprehension Statistics for Illegal Alien Smugglers and 'Special Interest Aliens,'" *Judicial Watch*, March 9, 2011, www.judicialwatch.org; Edwin Mora, "474 Illegal Aliens from Terrorism Linked Countries Apprehended in 2013 Alone." BreitbartTexas.Com, 2014, http://headlinedigest.com/2014/09/illegal-immigrants-from-terrorism-linked-countries-flooding-across-u-s-border/.

[65] Government Accountability Office. *Border Patrol:Checkpoints Contribute to Border Patrol's Mission, But More Consistent Data Collection and Performance Measurement Could Improve Effectiveness*, 27, GAO-09-824

reflected a 15 percent increase over the same period of 2014, among them migrants from Afghanistan, Bangladesh, Egypt, Iran, Iraq, Lebanon, Pakistan, Somalia, and Turkey.[66]

Little research addresses the dynamics and internal workings of all kinds of transnational human smuggling, let alone the extreme-distance enterprises that specialize in transporting SIAs. In 2011, for instance, the United Nations Office on Drugs and Crime (UNODC) released a survey of available literature on global human smuggling and "irregular migration." The survey said it was problematic that so little research had been done to understand such a consequential phenomenon.[67] Among the literature survey's findings of scholarly neglect, for instance, was that research had suffered from unreliable data, unbalanced geographical coverage, use of theoretical frameworks not globally applicable, disparities in the quality and quantity of information about how networks are organized, and perspectives over-representing destination countries at the expense of transit or origination countries.[68] The survey did not mention any research about the potential for long-distance smuggling of violent Islamist terrorist travelers or "country of interest" migrants. No other research could be independently located addressing organized migrant travel from such countries to U.S. land borders, or ultra-distance organizations generally. Numerous other human smuggling researchers in recent years found the same shortcomings for their own projects. Nils Gilman, Jesse Goldhammer, and Steve Webber, in examining Fujian Province China–U.S. smuggling, found other sophisticated, globe-spanning smuggling enterprises had "little rigorous scrutiny because the activities are illegal and confound techniques of inquiry traditionally employed by journalists or academics."[69]

As a priority, the long-distance terrorist infiltration threat showed no sign of retrenchment; national legislation requires it be addressed. The latest effort as of 2015 was the Southern Borders and Approaches campaign, described by DHS Secretary Jeh

---

66 Ryan Lovelace, "Mexican Cartels Caused the Border Crisis: And the Obama Administration Falsely Took Credit for Stopping it," *National Review*, March 6, 2015, www.nationalreview.com.

67 Daphné Bouteillet-Paquet, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (New York: United Nations, 2011).

68 Ibid.

69 Gilman, Goldhammer, and Weber, *Deviant Globalization*, 32.

Johnson in familiar terms: "As we work to increase border security…we must continue to look beyond our borders. We are actively engaging our international partners to identify and interdict threats at the earliest possible point, before they reach our borders. We can't sit along our land and maritime borders and play 'goal-line defense.'"[70]

B. THESIS PURPOSE AND SCOPE: FILLING VOIDS IN STRATEGY AND SCHOLARSHIP

Based on the study of 19 U.S. criminal prosecutions of SIA smuggling networks after 9/11, this thesis intends to stand as a resource for homeland security policy leaders either before or after it is needed or wanted—for instance, in the event of an attack by an SIA immigrant who illegally crossed the U.S. land border. Understanding how SIA smuggling works and its most vulnerable points can guide law enforcement, intelligence services, and policy leaders to develop more efficient and effective counter-network strategies. The results of this study also should be generalizable to smuggling of any migrant group that may replace SIAs as the threat of the day.

In addition, this thesis aspires to fill a gap in migration studies. The examined literature on migration, illicit economies, and the geopolitics of migrant flows across borders omit reference to this irregular migration form, even though it holds unique status as a priority U.S. national security concern.

Geopolitics can be defined as the study of power rivalries over territories.[71]With the idea of a power rivalry in mind, clandestine human smuggling networks capable of moving Islamist terrorists to the U.S. land borders can be said to persist and thrive by exploiting or evading geopolitical factors unique to foreign national landscapes and territories through which they operate. The American transnational enforcement approach implemented after 9/11 to counter these smuggling networks would be more effective by

[70] Written Testimony of DHS Secretary Jeh Johnson for House Committee on Homeland Security, http://www.dhs.gov/news/2014/05/29/written-testimony-dhs-secretary-jeh-johnson-house-committee-homeland-security.

[71] John T. Payne, *Geopolitics, Globalization and the Age of Terrorism* (Tomball, TX: Raleigh Tavern Philosophical Society, 2004).

accounting for how they behave as successfully resilient systems with unseen leverage points in the context of geopolitical environments.

This thesis does not assess or judge the perceived degree of terrorist infiltration threat from either border. It does not attempt to evaluate if or how any empirical circumstance drove political and spending imperatives on either border after 9/11. Rather, this research rests on less disputable rationales: that SIA smuggling networks provide the *capability* for terrorist travelers to reach the southwestern border, and legislation requires U.S. agencies to tend the phenomenon as a terrorism threat.[72] SIA smuggling networks give empirical life to the terrorist infiltration threat because, without them, solo circumnavigations across unfamiliar alien nations, territories, language barriers, borders, and cultures become less tenable, even for the most wily and hardened terrorist.

Neither does this thesis attempt to address, beyond the aspect of asylum claims as a part of SIA smuggling, strategies, public investments, effectiveness, nor non-SIA immigration issues along the actual *physical* U.S. border from Texas to California. Much has already been written and debated about the issues related to physical border security, including short-range human smuggling of Mexican nationals and contraband and the American response to those many associated issues.

As an important side note, this study focused on the southwestern border because, to date, it has attracted far more spending and human resource allocations than the northern border. The selection of the southwestern border for resource allocation and as a subject for this thesis, however, was in line with perceptions—often empirically supported—that Canadian geography and immigration security protocols enacted with the United States after 9/11 have vastly reduced the number of higher-risk migrants able to reach Canada–and its U.S. border.[73] Fifteen of the 19 post-9/11 U.S. prosecutions examined in this thesis involved smuggling to the U.S. southwestern border. Only one case involved Canadian smugglers whose model involved breaching the northern border.

[72] Nuñez-Neto, *Border Security*, 19.

[73] Muller, *Security, Risk and the Biometric State*, 89.

Three other cases involved smugglers who flew clients directly into American cities—albeit after first smuggling them into Latin America and over other borders.

II. LITERATURE REVIEW

> When it comes to academic theory, it could be said that the topic of human smuggling remains a neglected area. Most research in this field consists of single case studies: few cross-comparisons are made vis-à-vis types of smuggling or on a country-to-country basis, and there is a fundamental lack of hard evidence to substantiate most aspects of the smuggling process.
>
> —Ilse van Liempt[74]

Much as U.S.-bound SIA migrants transit diverse geographies, this thesis crosses a range of theoretical disciplines, including aspects of migration theory, complexity science, systems theory, social network theory, and geopolitical theory. To discover how SIA smuggling works in these contexts, an emergent body of scholarship and thinking also was consulted centering on how globalization has rapidly changed the dynamics between black markets, deviant entrepreneurs, and those seeking their demise. One other context found to be pervasive in the literature involves vehemently opposing narratives over whether the "securitization" of migration in the name of national security is an appropriate national strategy. The review of literature begins by addressing this dispute, then discusses each of the theoretical frameworks that best apply to SIA smuggling.

A. THE GREAT DIVIDE

Opposing scholarly camps have subscribed to different narratives regarding the relative threat posed by the special class of migrants transported from Islamic countries to the southwestern border. One narrative, now holding sway among homeland security policy makers in the United States and Europe, assumes that a certain kind of human smuggling chain poses a higher national security threat than others as potential terrorist travel conduits. But there has been little consensus as to whether national security is an apt justification for this kind of immigration securitization. Many migration scholars find as problematic the idea that refugees and asylum-seeking migrants from Islamic countries

[74] Ilse van Liempt, *Navigating Borders: Inside Perspectives on the Process of Human Smuggling into The Netherlands* (Amsterdam: Amsterdam University Press, 2007), 13.

should be stigmatized and singled out as potential terrorists. Cresswell decries the post-9/11 view of migrants from those countries "as a threat, a disorder in the system, a thing to control." He writes: "Think of the role of the outsider in modern life, a constant source of anxiety with a whiff of 'elsewhere' about her. The drifter, the shiftless, the refugee and the asylum seeker have been inscribed with immoral intent. These have all been portrayed as figures of mobile threat in need of straightening out and discipline."[75]

According to Aas, the end state of affairs when nations stigmatize faceless outsiders as potential security threats is a demonization of innocents, denied mercy and basic human rights.[76] In the name of 9/11 protections, nations portray desperate refugees from the Middle East as "risky mobiliites" moving clandestinely along transnational, extraterritorial networks "like a hidden fifth column."[77] Aas asserts that the sole point of this new discursive terrorism threat framing is to stop undesirable non-terrorists from claiming asylum.[78] She and others say the dehumanizing processes involved in securitizing migrant mobility undermine Western moral values, which emphasize humane welcomes and safe harbor. Coleman points to a whole "new generation of scholarship" arising from post-9/11 immigration enforcement. This genre of scholarship, he writes, views the framework as a paradigm shift by "privileged state spaces of global capitalism" from management of territories along defined physical borders to a "more spatial management of populations" far away.[79] The intended result is to cast these "mostly non-white" populations as "objects of state security practice" to legally deprive them of the opportunity to reach safer borders.[80]

Other migration specialists argue, alternatively, that such critical narratives conspicuously ignore the reality that some asylum-seeking migrants are far from benevolent. A national government's fundamental obligation is to assert territorial

---

75 Cresswell, *On the Move*, 26.

76 Aas, "Getting Ahead of the Game."

77 Ibid., 203.

78 Ibid.

79 Matthew Coleman, "Immigrant II Reality: Geopolitical and Legal Borders in the U.S. 1882 to Present," *Geopolitics* 17, no. 2 (2012): 402–422.

80 Ibid.

sovereignty, in part by screening out undesirable visitors while allowing desired ones in. Christopher Rudolph, for instance, argues that conventional wisdom dictates national security and migration control should continue to be linked in light of a new kind of threat, from al Qaeda.[81] He argues that the nature of global terrorism, where foreign attackers constantly seek to exploit U.S. immigration policy loopholes, makes separating external from internal security dimensions difficult.[82] Where critics of merging immigration and national security see a demonization of the unknown faceless migrant, Rudolph sees the same invisibility as a threat accompanied by an empirical history. Migration, he points out, is one of the primary means by which "sleeper cells" have sought to proliferate, justifying rational states' responses with new ideas to protect. "What is threatening about the clandestine entry of alien terrorists and the presence of sleeper cells in the homeland is essentially their invisibility," Rudolph writes. "They are a specter lurking in the shadows. Thus, security would seem to require policies that increase visibility rather than decrease it so that entry of potentially dangerous individuals can be prevented."[83]

B. TRAVERSING A SPAN OF THEORY

The literature regarding all varieties of international human smuggling is scant, unevenly rigorous, and does not address SIAs smuggled into the United States. A small number of academic works do address the perceived threat SIAs pose, however none examine how SIAs, as a unique national security category, are able to journey from distant troubled regions, or if U.S. counter-network measures contemplate disruption clues in how they operate in foreign spaces. For instance, Nathan Whitfield published a thesis in 2012 titled "Traveling the Terrorist Highway," which claims SIA entry over the U.S. border represented a significant terrorism threat because the public investments in the defensive bulwarks along the physical borders left them still too porous.[84] But Whitfield's work, along with several others that that recognize SIAs as a threat, focuses

81 Rudolph, *National Security and Immigration*, 2.

82 Ibid., 14

83 Ibid.

[84] Whitfieild, "Traveling the Terror Highway."

on conventional law enforcement strategies to shore up the physical land border, mostly inside the United States, and not how smuggling networks outside move them there.[85] More promisingly, other works have addressed the characteristics of illicit contraband smuggling in ways that could be generally transferable to a study of SIA smuggling in the context of systems, geopolitics, and international relations.

C. SIA SMUGGLING NETWORKS AS SOCIAL NETWORK "SYSTEMS"

Meadows writes that a system is set of things—people, cells, molecules—interconnected in ways that produce their own patterns of behavior over time.[86] Systems, she writes, "may be buffeted, constricted, triggered, or driven by outside forces." In the context of human smuggling, systems thinking helps observers visualize a system's parts and their interactions with one another and with external elements to predict possible future behaviors. While the science of prediction is still developing, this concept is important for homeland security leaders to understand because, as Meadows and Write state, "systems can change, adapt, respond to events, seek goals, mend injuries, attend to their own survival in lifelike ways, even though they consist of nonliving things."[87] As systems receive feedback from interactions with new factors, they can self-organize and self-repair, or otherwise fail to survive. This ability to adapt to disruptions or changes as positive or negative feedback arrives makes them evolutionary.[88]

The related field of complexity science has proven particularly helpful for researchers who have autopsied networks, both licit and illicit. These theory approaches generally share the idea that systems are the sum of identifiable "links" and "nodes" that interact with one another based on systemic rules. By monitoring these outcomes' interactions, rule-based emergence is observed, and patterns and vulnerabilities can potentially be discerned.

---

[85] Ibid., 85.

[86] Donella Meadows, *Thinking in Systems: A Primer*, ed. Diana Wright (White River Junction, VT: Chelsea Green Publishing, 2008).

[87] Ibid.,12.

[88] Ibid., 12.

Complexity science can inform how to break down large, complex, adaptive network systems into several smaller ones to identify the critical actors, artifacts, networks, and interactions.[89] The networks need not be mechanical; they can also be social—that is, comprised of people. Social networks are systems comprising human relationships between individuals (known as objects, or nodes), and their various links, flows, and exchanges.[90] These relationships may involve interpersonal feelings among people, information exchanges, or more tangible exchanges such as goods and money. By mapping such relationships, network analysis theoretically helps uncover informal organizational patterns, as sets of actors (nodes) and ties (links).[91] Cragun and Cragun write that "social network theory has been used to examine how companies interact by characterizing the many informal connections that link executives together, as well as associations and connections between individual employees at different companies."[92] The networks, they write, provide ways for companies to gather information, deter competition and even collude in setting prices or policies.[93]

The same approaches also have been used to better understand and target illicit transnational networks. Some researchers have recently argued that social network analysis (SNA), a process of mapping the relationships between the links and nodes of human networks, has been tried out against terrorist organizations overseas. The literature, however, does not indicate if any one template is squarely applicable to human smuggling networks. Also, the science of applying SNA to criminal networks is relatively young, rife with definitional disagreements among practitioners who have attempted it, and requires a high degree of detailed information that is not often available.

---

[89] Neil Johnson, *Simply Complexity: A Clear Guide to Complexity Theory*, 4th ed. (Oxford, England: Oneworld Publications, 2011).

[90] Charles Kadushin. *Understanding Social Networks: Theories, Concepts and Findings*, 1st ed., Vol. 1 (New York: Oxford University Press, 2011).

[91] "Network Theory and Analysis: How Relationships Influence Behavior," University of Twente, accessed July 23, 2015, http://www.utwente.nl/cw/theorieenoverzicht/theory%20clusters/ communication%20processes/network%20theory%20and%20analysis_also_within_organizations-1/.

[92] Ryan T. Cragun and Deborah Cragun. *Introduction to Sociology*, 1st ed., (Wikibooks, 2006), 81,http://www.amazon.com/Introduction-Sociology-appears-Wikibooks-Wikipedia/dp/0980070775.

[93] Ibid., 81.

For instance, Roberts and Everton, in "Strategies for Combating Dark Networks," advocate for using the SNA approach to target terrorist networks in kinetic (violent) and non-kinetic (soft power) ways.[94] Roberts and Everton demonstrated their use of SNA—a rare effort—to identify the relationships between nodes of the defunct Noordin terror network in Indonesia and Malaysia. They based their study on a series of data-filled reports about the Noordin network by the International Crisis Group (ICG). They generated their "conceptually-driven, multi-relational, multi-layer, and multi-metric analysis" of "closeness," "betweenness" and "centrality" relationships among the network's many terror associates and supporters. The metrics they chose, for instance, included degree of friendship, kinship, internal communication, and affiliations with schools, businesses, locations, organizations and operational events.[95] These were mathematically calculated to identify weak points amenable either for violent or non-violent targeting, for instance, covert counter-messaging campaigns, insertion of informants into identified institutions, recruitment of key figures as informants, or killing or capturing leaders. The researchers claimed their social template can be replicated to analyze other terrorist networks to inform counterterrorism strategies. But they also noted problems in replicating the framework for other dark networks. For instance, they noted difficulty clearly defining and identifying appropriate relationship variables necessary to apply the template–especially within the scarcely known but important subgroups that make up larger networks. "Researchers who have tried to use social network analysis to disrupt dark networks too often focus on central players, missing out on links to sub-groups and individuals whose roles may be crucial," they write.[96]

Similarly, Naval Postgraduate School (NPS) researcher Rebekah Dietz used social network theory to analyze and identify key nodes and links to compare three generalizable types of illicit networks with one another, none of them human smuggling. After using social network analysis to deconstruct them, she compared case studies of a terrorist network, a proliferation network and narcotics network to determine how they

---

[94] Nancy Roberts and Sean F. Everton, "Strategies for Combating Dark Networks," *Journal of Social Structure* 12, no. 2 (2011).

[95] Ibid., 9.

[96] Ibid., 7–8.

differed or overlapped in their typologies, motivations, structures, characteristics, sources and patterns of funding.[97] Dietz said she wanted to use this systems approach to map relations between individuals, groups, and organizations, as a means to "prescribe courses of action that will potentially influence behavior." But Dietz noted that network analysis "is not yet adequate to explain them," that mapping tools are still being developed to explore covert networks, and that confusion in the literature reflects divergent views over how to define the nature and structure of individual networks to be deconstructed. [98]

Jennifer Xu and Hsinchun Chen likewise argue that social network analysis often can't get past incomplete, incorrect and inconsistent data about these enterprises, nor does it take into account changing network dynamics and ambiguous boundaries.[99]

Unique SNA models would have to be constructed per situation, which would seem to require an extraordinary volume of specific detail. Such detail, however, was not available in the court materials examined for this thesis. The available literature still suggests that systems theory can help policy makers generally understand that complex organizations, such as the human smuggling networks examined here, will react—predictably and sometimes unpredictably—to internal and external pressures, and to circumstances that include law enforcement surveillance and disruption strategies.

D. INTERNATIONAL CONDITIONS AND GEOPOLITICS

As mentioned, geopolitics is the study of power rivalries over territories.[100] In terms of SIA smuggling, geopolitics helps contextualize the conflict in foreign places between individuals who seek to cross borders and states that seek to stop them.

SIA migrant smugglers and the American agencies hoping to interdict them far from U.S. borders have to contend with how transit nations view their sovereignty and place in the world, which is an important aspect of geopolitical thinking. Dodds defines

---

[97] Rebekah K. Dietz, "Illicit Networks: Targeting the Nexus between Terrorists, Proliferators and Narcotraffickers" (masters thesis, Naval Postgraduate School, 2010).

[98] Ibid., 22.

[99] Ibid.

[100] John T. Payne, *Geopolitics, Globalization and the Age of Terrorism* (Tomball, TX: Raleigh Tavern Philosophical Society, 2004).

this landscape as "geopolitical architecture"—the international rules and expectations among and within individual nations that emerged after World War II.[101] Dodds lists two key influencing components that vary from nation to nation and change over time and space. These, he explains, are self-concepts of territorial sovereignty manifested by a nation's border controls, and appreciation for international laws, treaties, and relationships with other countries. In short, Dodds writes, these are "the ways in which states and non-state organizations access, manage, and regulate the intersection of territories and flows, and in so doing establish borders between inside/outside, citizen/alien, and domestic/international." [102]

The migrants paying smuggling fees, the networks that accept payment to move them, and the states that try to suppress and disrupt them all have to contend with one another within this architecture. Smuggling networks must adapt, thrive, or die depending on how each nation-state along their routes perceives territorial sovereignty. Border patrols offer an apt example. The United States, for instance, invests heavily in staffing and equipment along its borders; Brazil does not. This can shift and change with governments at any moment, altering all local dynamics.

By the same token, any effort by American law enforcement and intelligence services to counter SIA networks must recognize how other governments regard them on their territories. If SIA smuggling networks are viewed as complex systems, reliable and consistent feedback loops are necessary to track movements at any given time or place. Monitoring and assessing such feedback would require dedicated intelligence collection and analysis operations of a sort to be discussed later. A nation unconcerned about SIA smuggling in its jurisdiction is less likely to commit.

Another concept worth grasping is that landscapes where deviant enterprises operate have changed dramatically over the past decade. Illicit businesses, such as drug trafficking and human smuggling, have boomed to unprecedented heights since economic globalization took hold in the 1990s. Countering bigger, more resourced, and nimble

---

[101] Klaus Dodds, *Geopolitics: A Very Short Introduction* (Oxford: Oxford University Press, 2007, Kindle Edition), 55.

[102] Ibid., 55.

enterprises has become more difficult, requiring law enforcement to innovate. That requires intelligence, or in systems theory terms, real-time feedback loops.

There are two general schools of thought concerning what this new landscape means to both cat and mouse. One view suggests that traditional, high-consequence, kinetic law enforcement strategies based on tips and leads to capture and imprison stimulates profits and criminal enterprises. The other holds that more nuanced, multi-layered enforcement (more reliant on the involvement of intelligence services and diplomats) can at least manage transnational criminal activity downward. Gillman, Goldhammer, and Weber argue that reduced trade barriers and regulation, as well as integrated financial, transportation, and communications systems have made deviant entrepreneurs highly adaptive and more resistant to law enforcement pressure.[103] "Punish, strike, and kill policies fail," the authors write, "because they focus on the sins of actors, not the complex dynamics of the system in which the actors participate."[104] Naim argues that uninformed flailing at transnational smuggling causes prices, profits, and incentives to rise, further feeding demand for more enforcement in an endless cycle.

"Surge pricing," a strategy used by the U.S. taxi cab app Uber, illustrates Naim's point. Uber's business model quickly calculates prices to pair passengers with drivers using an algorithmic approach that sends prices up or down according to driver availability and passenger demand in any given area at any given time. When drivers go off line, prices go up, incentivizing more drivers to join the market and passengers to leave it.[105] This model has disrupted the established industry with inconsistent and often lower fares for the same service. Likewise, Naim and others argue that when law enforcement removes smugglers and contraband, prices and profits rise and reward enterprise continuation. Andreas argues that chasing and arresting are doomed for much the same reasons.[106] A critic of enhanced post 9/11 border security measures, Andreas

---

[103] Gilman, Goldhammer, and Weber, *Deviant Globalization*.

[104] Ibid., 279.

[105] Nicholas Diakopoulos, "How Uber Surge Pricing Really Works," *Washington Post*, April, 17, 2015, http://www.washingtonpost.com/blogs/wonkblog/wp/2015/04/17/how-uber-surge-pricing-really-works/.

[106] Andreas, *Border Games*.

sees clear consequences of immigration enforcement driven by unthinking national security fear. "Professional smuggling services," he explains, "have continued to boom during the past decade, [and] can be expected to grow as migrants become even more dependent on hiring a smuggler to successfully navigate the border crossing."[107]

An opposing line of thinking argues that harsh deterrence and interdiction strategies can at least reduce unwanted behaviors—even if undesirable international commerce cannot be eliminated entirely. Advocates of such "enforcement with consequences" strategies believe these can at least manage criminal problems. A 2014 CRS report considered the impact of CBP's "Enforcement with Consequences" strategy.[108] Implemented at the southwestern border in 2005, this strategy aimed to reduce high rates of re-entries by apprehended Mexican immigrants that were occurring as a result of allowing them merely inconvenient "voluntary" returns to Mexico. The problem addressed was how to reduce high recidivism reentry rates. The study found the rates only fell significantly when CBP instituted progressively harsher legal consequences against most apprehended migrants in a certain region. Undocumented Mexican immigrants were hit with criminal prosecutions, "remote relocations" into distant areas of Mexico, and administrative reporting that could prevent a migrant from entering the country legally for five-year periods.[109]

This view makes sense, especially when polities in democratic societies desire control of certain public health and safety threats, such as child sexual predation, residential burglary, or terrorist infiltration. How SIA smuggling fares in the context of these theoretical frameworks—whether the industry self-corrects and thrives under pressure or dissipates—merits significant attention in this thesis. How, for instance, would SIAs and their smugglers respond to harsh deterrent strategies not currently in place, compared to Mexican migrants closer to the border?

---

[107] Ibid.

[108] Marc R. Rosenblum. *Border Security: Immigration Enforcement between Ports of Entry* (CRS Report No. R42138) (Washington, DC: Congressional Research Service, 2012).

[109] Ibid.

A number of border security researchers have argued for a U.S. strategy more sensitive to environmental complexities, targets its resources according to priority-based risk analysis, and forges foreign alliances. Rollins calls for a more significant U.S. commitment to a transnational approach that "entails understanding and addressing the interrelationship of global risks to a nation's short- and long-term strategic interests."[110] He argues the lack of "appreciation of the global complexities" and confused organizational responsibilities have led to "inefficiencies, actual and near tragedy, and continuing challenges in detecting, responding or recovering from a security-related issue." He also believes a more informed American transnational effort will help leaders know how to apply funds and other resources in a more efficient and targeted manner.

Sims notes that the U.S. government's ability to protect its homeland depends "critically on the ability of foreign governments to stop terrorists traveling or resting in theirs."[111] The broad trends with which U.S. policy will have to cope are clear, she writes: accelerated mobility of people, information, and capital, as well as persisting conflict and war among states. U.S. security strategists and intelligence agencies will have to understand these trends, either strengthening other nations' rule of law and democratic institutions or undermining them when necessary.[112]

---

[110] Ibid.; Rollins, "Ten Years After the Terrorist Attacks of 9/11."

[111] Jennifer E. Sims, "Understanding Friends and Enemies: The Context for American Intelligence Reform." In *Transforming U.S. Intelligence*, Jennifer E. Sims and Burton Gerber (eds.), 14–31 (Washington, DC: Georgetown University Press, 2005).

[112] Ibid.,17–18.

THIS PAGE INTENTIONALLY LEFT BLANK

III. METHODOLOGY

This thesis asked if a deconstruction of ultra-distance smuggling networks, from publicly available data, would reveal how the networks generally are configured, operate and overcome obstacles in diverse geopolitical environments. If so, it sought to identify the key factors upon which their operations substantially depended, considering that some factors might represent leverage points where law enforcement could intervene. Using a quantitative analytical tool and process described in this chapter, this thesis presented 20 common operational traits, characteristics and methods of SIA smuggling, from which seven likely law enforcement leverage points were identified where interdiction would produce significant results.

To deconstruct SIA smuggling operations and help identify their law enforcement leverage points, this thesis used unstructured archival data from the total discoverable body of U.S. federal court prosecutions of SIA smugglers between September 2001 and September 2015—a total of 19 cases were examined. The research sought to enhance the court records' validity and contextual accuracy through a triangulation method that relied on non-court narrative data, such as the public testimony of U.S. security leaders, official government reports, and media information.

All the data used in this thesis was available in the public realm. As will be described in greater detail in the following sections, all of the data was imported into the Computer Assisted Qualitative Data Analysis Software known as "NVivo."[113] The data was then analyzed in order to identify SIA smuggling organizations' most commonly occurring themes, variables, and traits to determine generally how they operated based on a frequency of their occurrences in the data. The most commonly noted themes, variables, and traits were further organized by how critical they were to the organization's continued operation. Criticality is defined in this thesis as the degree to which SIA smuggling seemed to depend on any given variable or set of variables. Lower criticality would be ascribed to easily replaceable variables, or those that did not occur frequently in

113 "About QSR," QSR International, accessed July 23, 2015, http://www.qsrinternational.com/about-qsr.aspx.

the data. The higher the criticality of a variable, the more indispensable it was regarded. Through this assessment process, SIA smuggling is generally explained, and seven key enabling factors were identified, listed and presented as potential law enforcement leverage points in the smuggling systems.

This chapter first discusses the data sets collected for the thesis. It then lists the three procedures used to understand and analyze the data through the NVivo software. Lastly, this chapter discusses limitations of the data and the processes used.

A. DATA COLLECTIONS

1. U.S. Court Prosecution Records

The UNODC review of the limited academic literature available about these networks lauded court prosecution records as the more reliably revelatory data. The literature survey also noted that, along with the benefits of court records, "research projects often require a combination of sources."[114] This research sought the largest possible sampling size of case studies on grounds that larger data pools can enhance the reliability of results and increase the chance they can be generalized to real-world scenarios. The chart in Table 1 breaks down the name of the smuggler, his or her nationality, and the associated case number for the 19 court cases examined in this thesis.

[114] Daphné Bouteillet-Paquet, *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications* (New York: United Nations, 2011), 15.

Table 1. Court Cases Examined

#	SMUGGLER	NATIONALITY	CASE NUMBER
1	Ashraf Ahmed Abdallah*	Egypt	1:101-cr-00465-RMU DCDCE
2	Merzhad Arbane*	Iran	103-cr-20765 FLSD
3	Muhammad Hussein Assadi*	Iran	1:2002-cr-00030 DCDCE
4	Samuel Lovelace Boateng	Ghana	1:07-cr-00298-RMU DCDC
5	Salim Boughader-Musharraffile	Lebanon	3:02-cr-03048-W SDC
6	Ahmad Muhammad Dhakane	Somalia	5:10-cr-00194-XR TXDW
7	Samual Abrahaley Fessahazion	Eritrea	4:09-cr-00498 TXDS
8	Rakhi Gauchan	Nepal	3:14-cr-0068-DCG TXDW
9	Annita Devi Gerald	Guayana	4:09-cr-00690 TXSD
10	Maher Wazzen Jarad*	Iran	1:02-cr-00090-HHK DCDCE
11	Muhammad Qasum Lala	Pakistan	2:04-cr-00287-RSL WASH DW
12	Nizar Kero Lorian	Syria	4:05-cr-00332 TXDS
13	Zeayadali Malhamdary	Iran	2:05-cr-00502-SMM AZD
14	Abtom Merhay	Eritrea	1:12-cr-00076-RBW DCDCE
15	Rosa Umanzor-Lopez	Guatemala	4:12-cr-00250 TXDW
16	Kaushik Jayantibhal Thakkar	India	4:12-cr-00250-1 TXDS
17	Anthony Joseph Tacy	United States	1:10-cr-00122-LMB VED
18	Irfan Ul-Haq	Pakistan	1:11-cr-00056-JDB DCDCE
19	Neeran Zala*	Jordan	1:04-cr-00401-RMC DCDCE

The 19 court prosecutions used in this study were identified in two ways: via open source research and by informally acquiring pointers from practitioners, prosecutors, and investigators involved in SIA smuggling interdiction. Most of the court cases are viewable via publicly available online law libraries, such as the Public Access to Electronic Records (PACER) system, which began posting electronically after 2004. *Five pre-2004 cases obtained elsewhere are available upon request (see Supplemental).

Most of the 19 U.S. federal court prosecutions of SIA smugglers, were retrieved piecemeal from the Public Access to Electronic Records (PACER) system.[115] Five pre-2004 cases that were not entirely available on PACER were acquired directly from U.S.

[115] "Public Access to Court Electronic Records (PACER) is an electronic public access service that allows users to obtain case and docket information online from federal appellate, district, and bankruptcy courts, and the PACER Case Locator. PACER is provided by the Federal Judiciary in keeping with its commitment to providing public access to court information via a centralized service." https://www.pacer.gov/

Attorney's offices.[116] All span the 14-year period from 2001 to 2015. They form a unique compilation, accounting for all known, discoverable U.S. prosecutions of SIA smuggling that occurred during this period. To qualify for collection, the case's prosecution must have been adjudicated or mostly adjudicated to conviction and must have involved the irregular smuggling of migrants from a Middle Eastern country (8 cases), North Africa (5 cases), or South Asia (6 cases). Only one case, the one involving Guatemalan smuggler Umanzor-Lopez, had not been fully adjudicated as of this writing. The cases were selected in line with publicly available government descriptions of U.S. policy identifying SIAs and countries of interest. Most of the prosecutions were identified by informal consultation with homeland security practitioners directly involved in the cases and relevant government programs.[117] Searches of open-source realms over a period of five months reinforced the likelihood that few other SIA smuggling cases exist for collection, although this cannot be concluded with certainty.[118] Collectively, the 19 court cases contain hundreds of pages of narrative hearing transcripts; agent complaint affidavits; indictments and superseding indictments; depositions; plea agreement proffers and factual resumes; government and defense attorney motions and counter-motions; witness testimony; and judicial rulings.

Court records that contained mere procedural motions or which did not contain sufficient descriptive content were not included in analysis. Most other records from the cases, however, were systematically examined in the PACER system and downloaded if they had potential to shed light on a smuggling operation. A number of the court cases also involved underling co-conspirators of kingpin smugglers, which spawned cases in

---

[116] United States v. Ashraf Ahmed Abdallah, United States v. Mehrzad Arbane, United States v. Mohammad Assadi, United States v. Mehar Jarad, United States v. Nancy Zaia. The author acquired these cases in 2007 during research while working as a journalist. See Supplemental to request copies of case files used.

[117] Five of the 19 prosecutions were identified and collected in 2006–2007 while the author, working as a journalist reporting about Iraqi border crossers, consulted with federal prosecutors and ICE agents whose duties involved investigating SIA smuggling. Another eight were located by the author in 2015 through open source research and in consultation with ICE agents and analysts.

[118] The search of other primary court case material involved an extensive search for references in books, academic literature, media accounts, and periodicals.

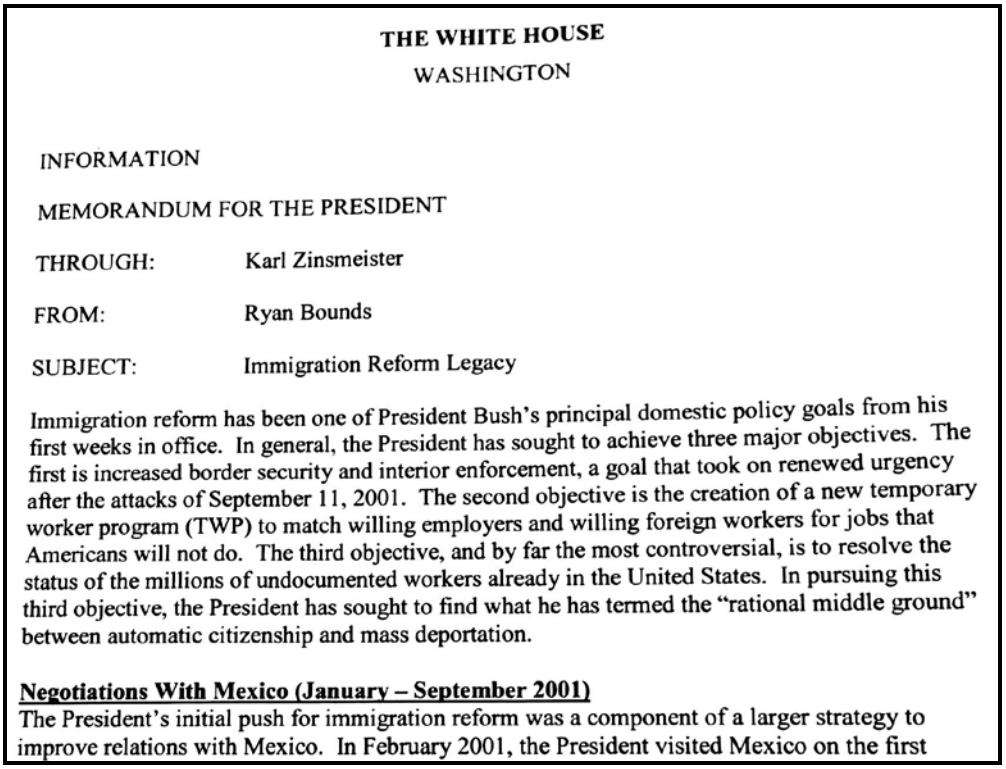
addition to the 19 selected here. These cases were not added to the original 19 to avoid promulgating the false impression that more smuggling enterprises were prosecuted than actually were.

2. Triangulation and Validation

A cross-section of other unique primary and secondary source material provided crucial supplementation to validate results extracted from the court cases analysis. Media reporting documented various stories of SIA travel and routes that were never addressed in a court filing, but which buttressed trends discerned in the court filings. For instance, historical narratives reflecting the evolution of counterterrorism in immigration policy benefitted from archival White House domestic policy council texts retrieved and reviewed in March 2015 from the George W. Bush Presidential Library in Dallas, Texas (see Figure 2).[119] All major public laws dealing with border security after 9/11 also were collected and examined for supporting contexts.

[119]Textual materials retrieved for supervised examination included the files of the following members of the White House Domestic Policy Council: Deputy Chief of Staff Joshua B. Bolton, Special Assistant to the President Ryan W. Bounds, Special Assistant to the President Todd Braunstein, Special Assistant to the President Jay Lefkowitz; and Special Assistant to the President Kristin Hughes. Other textual materials examined included the Bush Record Policy Memo files of White House Staff Secretary Thomas von der Heydt.

Figure 2. Image of an Original White House Document Retrieved from the George W. Bush Presidential Library



THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

THROUGH: Karl Zinsmeister

FROM: Ryan Bounds

SUBJECT: Immigration Reform Legacy

Immigration reform has been one of President Bush's principal domestic policy goals from his first weeks in office. In general, the President has sought to achieve three major objectives. The first is increased border security and interior enforcement, a goal that took on renewed urgency after the attacks of September 11, 2001. The second objective is the creation of a new temporary worker program (TWP) to match willing employers and willing foreign workers for jobs that Americans will not do. The third objective, and by far the most controversial, is to resolve the status of the millions of undocumented workers already in the United States. In pursuing this third objective, the President has sought to find what he has termed the "rational middle ground" between automatic citizenship and mass deportation.

Negotiations With Mexico (January – September 2001)

The President's initial push for immigration reform was a component of a larger strategy to improve relations with Mexico. In February 2001, the President visited Mexico on the first

Documents like this were retrieved from the files of the White House Domestic Policy Council stored in the research wing of the George W. Bush Presidential Library. They were analyzed over two days in March 2015 to help establish an accurate historical context for how and why the 9/11 attacks caused a marked policy shift from one that accommodated Mexican migration to one that prevented terrorist border infiltration with negative consequences for Mexican migration.

Other supplemental data sets supported facets of the study not addressed by the court cases. For example, to support an underlying assumption that American strategy could stand improvement, it was necessary to show the extent to which SIA traffic has continued to cross U.S. land borders. This was no easy task; government agencies involved in SIA enforcement activities restrict access to official information, perhaps to protect sensitive methods or for political reasons. As a matter of practice, DHS includes in annual public reports all data reflecting apprehensions of illegal Mexican and most non-Mexican immigrants, but omits any reference to those from countries of interest and has rebuffed efforts to obtain such information through the Freedom of Information

Act.[120] Enough collectable SIA apprehension data, however, had become public over the years (through episodic leaks reproduced in the media)[121] to determine that SIA flows toward the U.S. land border had continued with some consistency from 9/11 through mid-2015.[122] SIA data was collected from a variety of disparate sources as one collection.

Security officials' public testimony before congressional committees, which articulated foreign efforts to interdict SIAs and disrupt their smugglers, was another important data source. A number of GAO, CRS, and other government reporting provided additional credible knowledge and context.

B. PROCEDURE

The procedures described in this section took place after data was collected from all of the various sources and stored in an organized fashion.

(1) Step 1: Importation and Organization

Records from the court cases, together with many of the described supplemental materials, were downloaded from their original sources, converted to PDF or Word document formats, and stored both on a hard drive and with a cloud-based storage service. Key passages from the four cases available only in hard copy format were transcribed into Word documents. The court materials were organized in electronic folders by the name of each primary defendant. Non-court materials were stored in folders titled by theme, such as "Public Testimony of Security Leaders" or "GAO Reporting." Using an NVivo tool, the folders were then imported into NVivo's internal database, in alphabetical order, where they could be analyzed, queried, manipulated, and referred to as needed.

---

[120] Janice Kephart, "'The Toughest Transparency Rules in the History of Government'? Saga of a FOIA Request," Center for Immigration Studies, October 26, 2011, http://cis.org/kephart/saga-of-a-foia-request.

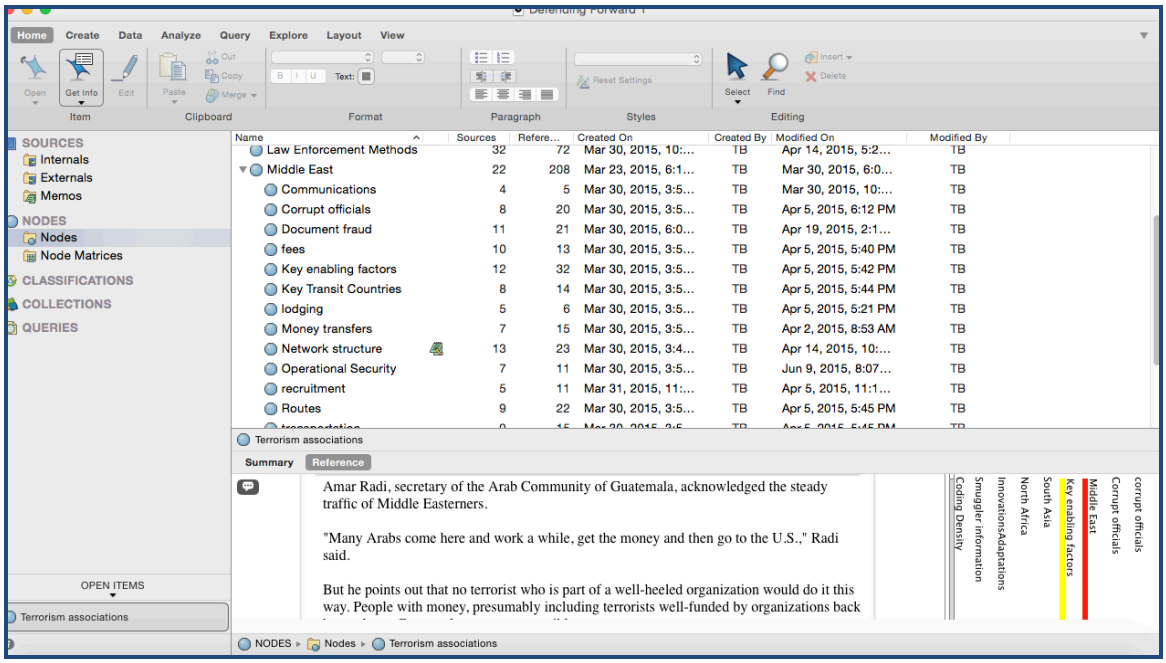
[121] Mora, "474 Illegal Aliens from Terrorism Linked Countries Apprehended in 2013 Alone"; Reid Wilson, "Texas Officials Warn of Immigrants with Terrorist Ties Crossing the Texas Border," *Washington Post*, February 26, 2015, http://www.washingtonpost.com.

[122] "Judicial Watch Obtains New Border Patrol Apprehension Statistics," Judicial Watch Press Room.

(2) Step 2: Building the Blocks

After records from the court cases, together with supplemental materials, were imported to NVivo, a search began for key commonalities, or themes, to be compiled as "nodes." The researcher accomplished this by reading and identifying relevant material, guided by the research question. NVivo allows users to create and name main thematic "parent nodes" and "child nodes" as material in the internal database is read and delegated, or "coded" (see Figure 3 for an example). Decisions to create new nodes depended on how frequently information occurred, from a minimum of two occurrences. Initially, three main "parent" nodes were created—the Middle East, North Africa, and South Asia—because government policy identified those regions. If certain common characteristics were observed two or more times as the reading progressed, a themed "child node" would be created under the appropriate parent node. Additional text passages from the material were highlighted and coded to the appropriate established child node, building it for later reference and analysis. For instance, certain activities related to the smuggling services' marketing and advertising were identified in the first several cases; a sub-node titled "Recruitment" was then created, and bits of related qualifying information were coded to it. The addition of material from more than two sources meant the node would be retained; nodes that did not were set aside as anomalies.

Figure 3. Screen Captured Image of NVivo Project

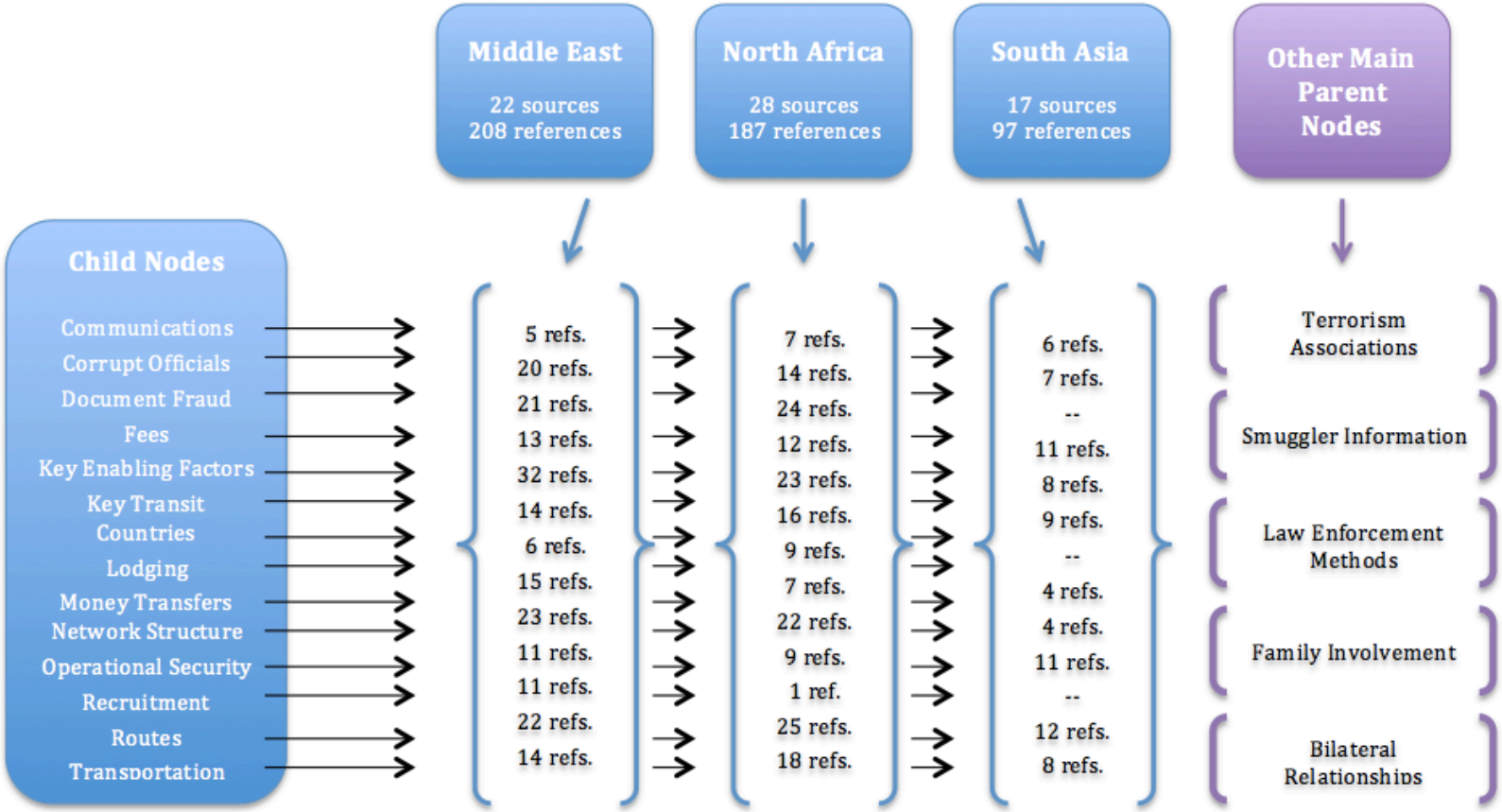


This captured screen shot reflects a view of child nodes under the parent node "Middle East," affording a sample of how the NVivo tools were used to analyze, discard, and group large amounts of unstructured data about SIA smuggling networks. In total, 167 unique sources of information produced 711 coded references that were analyzed for meaning.

As the data examination, node creation, and coding process continued, the number of child nodes under the three regional parent nodes stabilized at 13, which were selected as most likely to answer the research question. These selected nodes reflected such themes as transportation methods, money transfers, and communication methods. Others were key enabling factors, methods of travel document acquisition, law enforcement evasion methods, and law enforcement investigative methods. At the end of analysis, the three main nodes had drawn 491 references from 67 unique sources. Four other major nodes had to be established to accommodate themes that emerged in the material with significant frequency. These were categorized as: bilateral relationships, criminal network innovations/adaptations, law enforcement methodologies, and smuggler information. Two particularly important nodes were titled "routes" and "key transit

countries," which were distilled for route mapping. See Figure 4 for a visualization of all the major nodes discovered during this process.

Figure 4. Parent and Child Nodes Discovered in NVivo



(3) Step 3: Analyzing, Discerning, Choosing, and Presenting Conclusions

Once all the materials were read, nodes created, and all possible data coded into the appropriate thematic nodes, another analysis process began. This involved studying each of the 13 nodes and determining their framing as conclusions that would inform the research question, and also their relative strength. In part, establishing and presenting conclusion validity often meant tabulating total occurrences. For instance, if a particular characteristic was common to a majority of the 19 cases and helped advance an answer to the research question, its strength as presentable, new knowledge was judged high or low depending on its occurrence frequency. Each node was tabulated for frequency to answer a variety of questions prompted by the creation and population of each, such as: How many smugglers spoke multiple languages and held dual citizenship?

Four other major parent nodes had to be established to accommodate themes that emerged in the material with enough frequency to be discerned. These were categorized as: bilateral relationships, criminal network innovations/adaptations, law enforcement methodologies, and smuggler information. Collectively, these four categories drew 212 references from 100 information sources.

Analyzing individual nodes allowed for the presentation of 20 of the most significant conclusions detailing the most common characteristics and traits of SIA smuggling in line with the original research question. The traits include evasion tactics, but also tactics that American law enforcement and intelligence agencies employed to disrupt the 19 operations.

Two particularly important bases of knowledge were extracted from the material collections: Transcontinental route information unique to each of the three regions and Latin America, and organization typologies. Adobe Illustrator and Photoshop were used to map the SIA travel patterns extracted from the court records and other material. Distilled and presented visually, the results of the analysis were used to guide potential strategy solutions.

(4) Study Limitations

The 19 prosecution cases collected for this project represent most of the American SIA smuggling prosecutions since 9/11. These 19 cases suggest—though do not confirm—a relative paucity of such investigations by the assigned U.S. agencies, despite formal American strategy and policy to do so. To be fair, U.S. officials do note in various public forums that transcontinental SIA investigations are highly complex and difficult because they cross so many international jurisdictions, require reliable bilateral cooperation, operate covertly, and are expensive. Also, some evidence suggests that investigations American authorities conducted or initiated did not result in U.S. prosecutions but, rather, prosecutions by foreign countries such as Mexico and Ecuador. It is unclear how many or why the United States handed over prosecution responsibility. Some of the 19 known U.S. smuggling prosecutions required extradition from a third country, following extensive joint investigations.

It can furthermore be argued that law enforcement targeting decisions are more often based on opportunity rather than on academic tenets of sampling science and pool size. The pool of court cases analyzed for this thesis therefore cannot accurately reflect all facets of the state of SIA smuggling affairs, to include important factors such as pervasiveness, market share size, or all variations.

Likewise, the dearth of highly granular information about the links and relationships among network members and subgroups did not lend itself very readily to a social network analysis effort where links and nodes could be mapped out. Although these court cases credibly open a unique window into SIA smuggling, the view has to be regarded as only partial. For instance, migrant travel, as reflected in the available court cases, represents only 17 of the 35 transit or origin countries of interest, meaning a wide range of other potential smuggling means and methods potentially are left in the dark. One reason for the partial view is the often-unaccountable selection biases endemic to prosecution and law enforcement decisions, such as which front-end leads to investigate or let lie. Other issues limiting broader understanding included prosecutor decisions as to which investigative details to include or exclude from court filings, not to mention the

considerable influence of investigative winds of fortune on total bodies of information successfully collected for any one case.

Also, areas of knowledge about SIA smuggling could not be penetrated because of classification protections and sensitivity. For instance, the regime in place to vet and process SIAs *after* they reach U.S. land borders was not extensively addressed here, in part due to unavailable public information but also because what happens at the U.S. border is beyond the scope of this thesis.

IV. ULTRA-MARATHON SMUGGLING: A STRATEGIC UNDERSTANDING

> The investigation of human smuggling presents unique enforcement challenges. Human smuggling organizations are primarily based in foreign countries and depend on loose, but highly effective, transnational alliances. These alliances involve various operators, such as recruiters, brokers, document providers, transporters and corrupt foreign officials, to exploit vulnerabilities in our and other nations' immigration and border controls. The complexity of this problem demands a closely coordinated, comprehensive, and proactive international and domestic strategy.
>
> —James A. Dinkins, ICE Executive Associate Director of Homeland Security Investigations[123]

As suspected, analysis demonstrated that SIA smuggling is a highly complex endeavor that, given a large enough pool of data, could be autopsied. This chapter begins broadly with an organizational overview of what the analysis showed about SIA smuggling networks. First, it details the three unique network types discovered and some of their basic internal structures. A broad overview of SIA smuggling architectures is presented, focusing on the way they are built and how they may help law enforcement know how operators are linked, where they fit and how they behave and interact, especially as investigations and intelligence development proceed. Next, some key common characteristics of SIA smuggling operators are described, including motivations—are smugglers in business to help terrorists attack, or for profit, or both?

A. THREE SMUGGLING STRUCTURES

The NVivo-assisted analytical processing of 19 court prosecutions brought into sharp relief a number of essential strategic-level links and nodes, behavioral traits, and characteristics of SIA smuggling and smugglers. Familiarity with these variables can help law enforcement strategists seeking to strike at the smuggling operations.

[123] *U.S. Immigration and Customs Enforcement Department of Homeland Security: Regarding a Hearing on Enhancing DHS' Efforts to Disrupt Alien Smuggling across Our Borders* (2010) (statement of James A. Dinkins, ICE Executive Associate Director of Homeland Security Investigations), 3, http://www.ice.gov/doclib/news/library/speeches/100722dinkins.pdf.

SIA smuggling is not one-stop shopping. Like any other industry, fees and services cater up or scale down depending on clients' ability to pay. Those wishing to reach the United States may choose services that range from all-inclusive, doorstep-to-doorstep guided journeys, to more piecemeal arrangements that cost less. Deconstructing the 19 court cases revealed three general but distinct types of smuggling, dependent on the smuggled individual's desired price point: full service stage-to-stage, partial service, and limited service.

(1) Full Service Stage-to-Stage

Full service, guided, origin-to-destination journeys are arranged in advance. They involve pre-existing collaborative relationships with a multitude of independent networks along the route. They often involve initial recruitment, and they provide travel documents, air tickets, lodging, and accompanied transportation along each stage.

Of the 19 prosecuted cases, 12 involved smuggling networks that offered full-service, pre-organized, "stage-to-stage" guided travel from home country to destination country. Most of the prosecuted smugglers were able to guide migrants across numerous borders, often through passport-controlled airports outside of the United States (and, in three cases, inside the United States) by controlling recruitment, transportation coordinators, secure staging areas in key transit country points, document procurement specialists, cooperative arrangements with indigenous transit country networks, and primary funding and communications control. The preponderance of full-service cases in the sample may reflect law enforcement preference filtering rather than an accurate breakdown of different SIA smuggling types that truly operate.

Detroit-based smuggler Neersan "Nancy" Zaia's case exemplifies the full-service organization type. A dual U.S.-Jordanian citizen, Zaia moved Middle Easterners into the United States until her 2004 arrest.[124] Zaia's organization controlled a travel agency in Jordan, which recruited clients with misleading advertisements and through word of mouth. A subcontractor there provided fraudulent passports and purchased airline tickets.

[124] United States v. Neeran Zaia et. al., 35 F.3D 567 6th Cir. Ct. (D.D.C. 1994), Indictment.

Other subordinate appointees accompanied paying customers to South Africa, handing them off to other subordinates who cared for and then accompanied the migrants to Ecuador.[125] From there, additional conspirators accompanied the migrants on the next leg of travel. The operation proceeded this way, in an unbroken, guided journey that could cost $50,000 or more. Once the migrants reached the United States, other conspirators would meet and transport them to various cities.

(2) Partial Service

Partial-service smuggling involves assisting largely self-propelled individuals for one or more guided journey stages, brokering introductions to other organizations, or facilitating a key enabling service such as fraudulent document acquisition. Between stages, travelers are left to make their own ways to the destination, sometimes referred by word-of-mouth. Five of the 19 cases involved smugglers who fit the partial-service category, working as component links covering one or two journey stages. An example was a small Mexico City-based group run by Rakhi Gauchan, a dual citizen of Mexico and Nepal and career smuggler.[126] Until Gauchan was arrested in 2013, the network maintained alliances with other networks to the south that guided Pakistanis, Indians, and other South Asians into Central America. From her Mexico City base, Gauchan would accept an average of 10 referred migrants a month in Guatemala and Belize, and transport them to the Texas border, charging an average of $3,500 each.[127]

In 2007, a family of Iraqi Christians told their story to a reporter, detailing their experiences as migrants who used partial-service smuggling.[128] The Iraqi couple, identified only as George and Baida, had taken refuge in Damascus, Syria with their two young boys during the war. A full-service smuggling organization could not be located, although the Baidas had the funds to pay for such a journey. Instead, they took an offer by a Jordanian man who was offering partial services, including important information

[125] Ibid.

[126] United States v. Gauchan, Criminal Complaint, Document 3.

[127] Ibid.

[128] Todd Bensman, "Out of Iraq: An Illegal Flight of the Chaldean Christians to America," *San Antonio Express-News*, May 2007, 1.

and advice. For $10,000, the Jordanian provided authentic Guatemalan and Cuban visas likely obtained from Guatemala's consulate office in Amman and Cuba's embassy in Syria. The smuggler also provided Damascus–Moscow–Cuba–Guatemala City airline tickets, and a referral to a woman who ran a safe house in Guatemala City. At this point, the smuggling facilitator's role ended; the Baidas were on their own once they reached Guatemala. In Guatemala City, the couple on their own eventually found an unaffiliated local smuggler named "Miguel," who, for $15,000, brought the family to Texas.

(3) Limited Service

In a limited-service scheme, the smuggler's primary competitive advantage is marketing a single key enabling service, such as fee-based recruitment. Other marketable services might range from trading on relationships with corrupt consul offices or document-forgers and passport thieves to provide lower-budget, self-propelled clients visas or identity documents enabling travel.

In only two of the court cases (but in other accounts), smuggling facilitators specialized in providing one or two key services to make travel possible for semi-autonomous, self-propelled migrants who would travel toward waiting networks in Latin America, or perhaps shop on their own for indigenous smugglers upon arrival in whatever country they transited next. An emblematic example was the sole proprietorship of U.S. citizen and convert to Islam Anthony Joseph Tracy—a Virginia resident who moved to Kenya to associate with Somali war refugees and to open the business "Noor Services." He provided 270 Somalis with fraudulently obtained Kenyan passports, Cuban visas, and travel documentation onward to the U.S. border.[129] To obtain Kenyan passports, Tracy used local collaborators to create fake identity cards, bank records, and citizenship documents to defraud the Kenyan passport offices, helping migrants breach the critical first obstacle—exiting the region by air and reaching a key staging country.[130]

Iraqi citizen Ahmr Bahnan Boles (shown in Figure 5) provides an example of a self-propelled migrant who needed only to overcome an initial obstacle. His $4,000, low-

[129] United States v. Anthony Joseph Tracy, 4th Cir. Ct. (E.D.Va., 2011), Document 132.

[130] Ibid.

budget journey to the Texas border was substantially predicated on his acquisition in Damascus of a Guatemalan visa from a travel document broker who leveraged his access to a corrupt Guatemalan consulate employee.

Figure 5. Ahmr Bahnan Boles

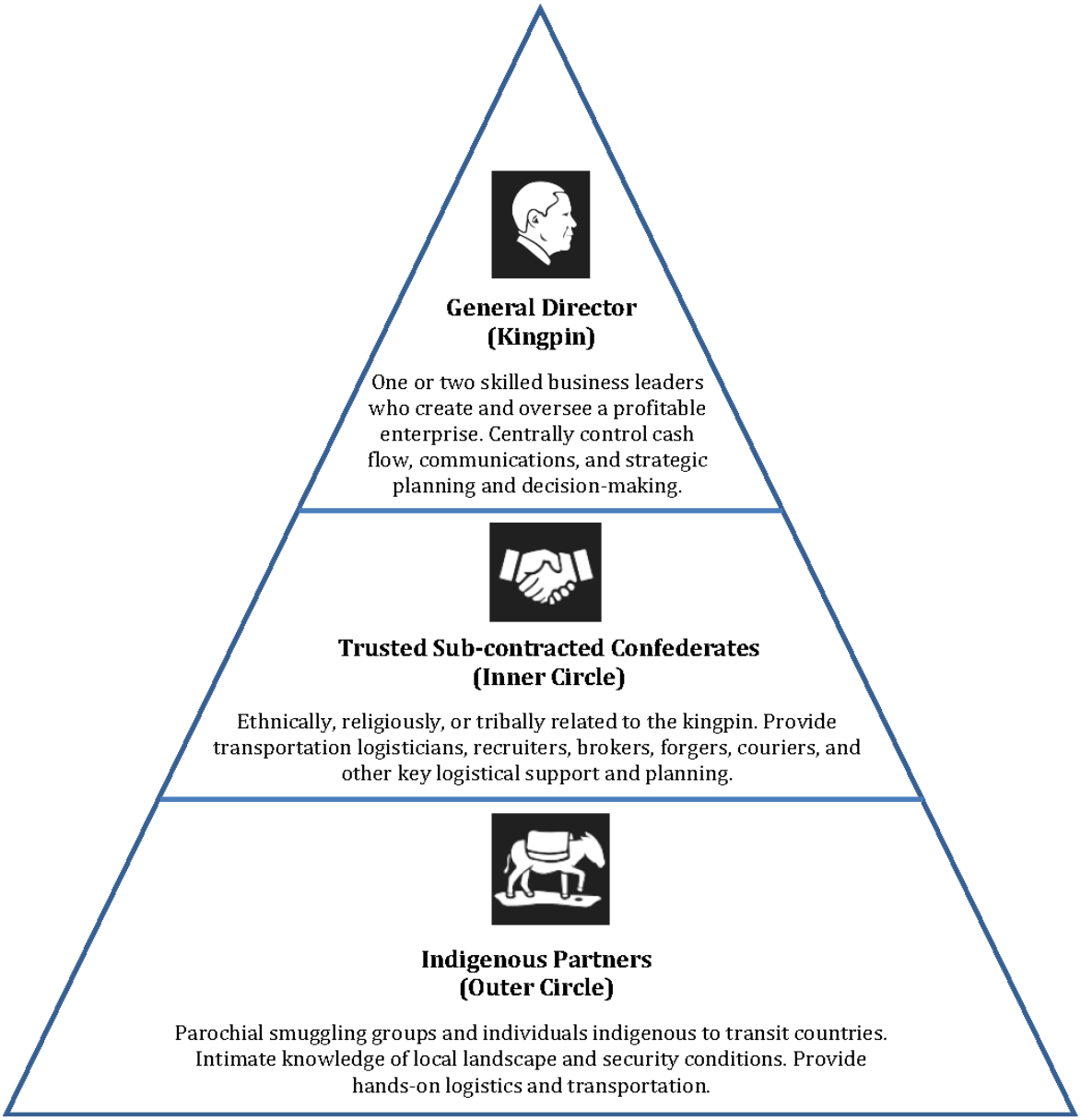
Iraqi war refugee and asylum seeker, Boles, shown after his release from federal detention in 2006. Boles crossed the Texas-Mexico border following a journey from Damascus, Syria, using a Guatemala visa that his limited-service smuggling agent in Syria obtained for him in Jordan for $750. Boles spent a total of $4,000 on the budget journey. Here, he is about to board a bus to Detroit where he will stay with an uncle.

B. ORGANIZATIONAL ARCHITECTURES

Organizationally, the 12 full-service, state-to-stage smuggling systems generally featured a pyramid-like architecture with one or two general directors as the most important node, or in law enforcement parlance, "kingpin" smugglers. For this thesis, the two main structures managed by leaders of high-volume, full-service, stage-to-stage networks are identified as: "trusted sub-contracted confederates" nodes (insiders close to the lead smuggler who handle important operational duties) linked to "indigenous partners" nodes (which tend to be loosely affiliated groups or networks necessary to navigate specific local territories and problems). The graphic in Figure 5 and the text

presented in the rest of this section describe this structure in more detail, although insufficient data was available to map all nodes and links, or their relative social strength of those that were revealed.

Figure 6. Full-service Organizational Structure



1. Kingpins

At the pinnacle of the 12 full-service systems was a general director, or kingpin smuggler, who maintained position by exploiting his or her own dual citizenships, bi-nationalism, innate organizational skills and initiative. Kingpins also lead by centrally controlling cash flow, communications, key competitive advantages such as corrupt government officials, and major logistical decisions such as when and where travel will occur. The leaders of large-scale SIA smuggling networks in the court cases were skilled entrepreneurs who created the organizational frameworks enabling profit.

The pyramidal architecture—that is, a sole proprietor leader working with a close circle of sub-contracted ethnically affiliated confederates, and an outer stable of indigenous partners in local transit countries—did not seem applicable to the smaller, partial-service and limited-service operations. Although these smaller enterprises also featured a sole proprietor, their shorter spans appeared only to need a main sole proprietor. But kingpins of large operations that continually moved large numbers of clients from home country to destination tended to have built these two structure types because they were necessary.

2. Trusted Sub-contracted Confederates (the Inner Circle)

Inner-circle sub-contractors often were ethnically, religiously, or tribally similar to the managing director—close enough confederates that they were often indicted or prosecuted as co-conspirators or indicted separately. Inner-circle confederates include transportation logisticians, recruiters, brokers, document forgers, money couriers, and other key logisticians requiring a high level of trust. A number of court cases revealed significant detail about the relationships between kingpin smuggling directors and their trusted ethno-national subordinates and partners, whose contributions often involved initial client recruitment in home countries, but often extended to assisting with management duties in Latin America. The Eritrean smuggler Habtom Merhay relied on an African “team” of five fellow Eritreans and one Ethiopian with whom he shared information and money obtained through his alien-smuggling activities. The HSI investigation of Merhay revealed that he maintained contacts with fraudulent document

vendors, human smugglers, and travel agents in numerous countries. This team initially recruited clients in Eritrea, Ethiopia, Kenya, Sudan, and elsewhere and, at Merhay's direction, would personally smuggle them from their points of origin in Africa by foot, air, boat, or vehicle, to a stash house Merhay maintained in Dubai, United Arab Emirates. In Dubai, Merhay and members of his Africa team were able to access the necessary visas and airline tickets to transport the clients on to Cuba, Ecuador, Colombia, or other Latin American countries, where local co-conspirators would prepare them for the next travel stages toward Latin America.[131]

Similarly, the Pakistani smuggler Irfan Ul Haq used associates in Pakistan to provide false travel documents and exit visas. From Detroit and Amman, the Jordanian-American smuggler Nancy Zaia ran her enterprise by working closely with five trusted associates with whom she shared ethnic and religious characteristics, and several of whom were prosecuted with her. In the Boateng network, both kingpin smugglers were natives of Ghana living in Belize and Mexico and were prosecuted together for having shared key management duties that included couriering cash and clients.

The Egyptian smuggler Ashraf Ahmed Abdallah had a trusted fellow Egyptian recruiter providing clients, and collecting money and travel advice, including a phone number they should call when they reached Guatemala or a neighboring country on their own. Egyptians would agree to travel great distances on the word of a smuggling recruiter, which is a testament to the credibility engendered when a fellow countryman offers such propositions.

3. Indigenous Partners (the Outer Circle)

All of the 12 full-service, stage-to-stage smuggling systems featured interoperability agreements with parochial smuggling groups and individuals indigenous to a single country or region of countries. Most of the SIA networks studied depended to a great extent on other highly localized smuggling groups that were indigenous to a single country or region, such as "coyote" smugglers along the U.S.–Mexico border, who could market their intimate familiarity with local landscapes and security conditions. The use of

[131] United States v. Habton Merhay, U.S. Dist. Ct. (D.D.C., 2010), Indictment.

local smugglers also reduced personal risk of a kingpin's discovery or capture, providing distance and separation from clients as they moved clandestinely.

The court records reveal little about these highly parochial indigenous operators other than to repeatedly establish their presences throughout the Latin American portions of journeys, often leaving them unidentified. Also unclear was the extent to which SIA kingpin smugglers were required, under threat or duress, to use local guides, perhaps as a form of taxation at the behest of dangerous armed criminal cartels. For example, prosecutors wrote that Eritrean smuggling kingpin Samuel Abrahaly Fessahazion would often hand deliver his African clients to Spanish-speaking local drivers and guides, sometimes meeting up with them at destinations for additional hand-offs to local confederates. This use of local guides is outlined in the description to investigators of their journeys provided by three clients who testified against him and were identified in court records only as "Aliens T.W., E.B. and S.O." For instance, "a Hispanic driver" retrieved Aliens E.B and S.O. from Honduras to Guatemala.[132] Fessahazion took over in Guatemala, bringing E.B. and S.O. by bus to a safe house at the Mexico–Guatemala border.[133] Fessahazion turned the clients over to another guide for the crossing into Mexico, providing them with contact information to another local smuggler (known only by the alias "Matamoros," after the Mexican border city across from Brownsville, Texas) who in guided them to Reynosa, Mexico. Matamoros then turned the pair over to yet more guides who "carried guns and ferried the couple across a river on the Mexican-United States border in inner tubes."[134]

Another illustrative example of the reliance placed on interoperability with local indigenous networks was the Iranian smuggler Maher Wazzen Jarad, who ran a high-volume, South America-based smuggling organization until it was disrupted in 2004. Jarad offered Iraqis and other Middle Easterners sea passage from Ecuador aboard large cargo vessels to points off the Pacific coast of Guatemala. To move his clients from the larger vessels to land to cross into Mexico, Jarad had a local Guatemala network run

[132] United States v. Samuel Abrahaley Fessahazion, 5th Cir. Ct. (S.D. Tex., 2010), Plea Agreement.

[133] Ibid.

[134] Ibid.

speed boats from Guatemalan beaches to the cargo ships, pick up his clients, and run them back for a land crossing into Mexico. A third network of Spanish-speakers in Mexico would then guide Jarad's clients over the Texas border.

One court case shed limited light on indigenous guides who work with SIA smuggling kingpins—the prosecution of Guatemalan Rosa Astrid Umanzor-Lopez, who was indicted as part of the 2012 case against the Indian smuggler Kaushik Thakkar. According to records, Umanzor-Lopez ran a small localized network in Guatemala, Mexico, and Texas that served the northernmost leg of a long chain that brought Thakkar's Bangladeshis, Indians, and others from South Asia during 2011 and earlier. Umanzor-Lopez was among six Mexican and three Indian smugglers arrested by Mexican police in December 2013 after a long-running U.S. undercover sting investigation mainly targeting Thakkar.[135] With them were Bangladeshi, Nepalese, and Indian clients. Little public record could be found regarding the arrested Mexicans, but Umanzor-Lopez was indicted in a U.S. court and extradited from Guatemala in May 2015 to face human smuggling charges in Texas. Although little personal information about Umanzor-Lopez was provided in public court records, it was clear that she had the marketable ability to cross back and forth between Mexico and Texas to personally transport border crossers to Houston-area hotels for the Thakkar enterprise. On several different occasions detailed in her case records, the Guatemala City-based Umanzor-Lopez personally accompanied several groups of smuggled people over the border, from McAllen or Laredo, Texas into Houston after other affiliated networks had brought them into Brazil, Guatemala, or the Dominican Republic.[136]

In one case—the full-service Boateng network, which specialized in moving Somalis and Eritreans through an Africa-South America-Mexico-U.S. pipeline—leadership was shared between two partners, probably due to their equal competitive advantages. Mohammed Kamel Ibrahim, from his base in Mexico City, had access to corrupt Mexican officials and relationships with local smugglers. His partner, Sampson

---

[135] United States v. Rosa Umanazor-Lopez et al., 5th Cir. Ct. (S.D. Tex., 2010), Superseding Indictment, Document 193.

[136] Ibid.

Lovelace Boateng, lived in Belize and had access to corrupt Belize embassy officials and recruiters and transportation facilitators in Africa. But even so, the general model of trusted insiders and allied local outsiders seemed consistent among these full-service smuggling enterprises: kingpin directors, their inner-circle ethno-national confederates and external indigenous allied groups, appeared loosely organized and interchangeable as different links were added or subtracted as needed—sometimes after a law enforcement disruption—from a single adaptable "chain" of travel. The degree of insider and outsider use often depended on the manner in which migrants were recruited and routes used to transport them to the United States.

C. KEY NETWORK CHARACTERISTICS

As previously established, ultra-distance human smuggling networks are configured based on their capacity to offer ranges of services. They are constrained or free to grow based, for instance, on their ability to access fraudulent documents and corrupt officials, or to form relationships with other organizations in distant countries. Their range of services therefore varies from partial and limited ability to move migrants to one leg of their journey, to full door-to-door destination capabilities. In turn, the extent of their capacities determines their organizational architectures. The majority of the networks examined, full-service organizations, formed as hierarchies with tight-knit, ethnically aligned operators at the top, but with loose-knit, interchangeable components at their bases. Beyond these organizational fundamentals, though, other informative attributes emerged from the data analyses to assist homeland security leaders who want to disrupt SIA smuggling networks. As is described later in this thesis, SIA smugglers tend to be non-violent sophisticated international entrepreneurs who are less interested in extremist ideology than profit and prefer to work with people of their own nationalities.

1. Nonviolent leaderships

Generally speaking, SIA smugglers did not behave as violent organized crime kingpins, using violence to protect market share or keep underlings and competitors in line. In one instance, the Ecuador-based smuggler Nizar Lorian told an undercover agent, who asked what would become of a migrant if his family did not deliver $24,000 in

overdue fees, that “There’s no f***ing around with me, on me” and to tell the smuggled aliens that if they try to leave “I tell them you are going to be our barbecue tonight if anything!” In none of the 19 court cases, however, did information suggest that Lorian physically abused paying customers or ever used physical coercion. A number of migrants did suffer robberies and discomforts, and one smuggler, Nancy Zaia, was discovered plotting to murder the ICE agents who investigated her. There is some information to suggest that an established kingpin smuggler based in Brazil threatened the Somali underling smuggler Ahmed Dhakane upon learning that Dhakane had been transporting clients and taking their fees without authorization. Dhakane responded by fleeing to the U.S. border himself and claiming asylum, for which he was later prosecuted. But for the most part, smuggling leaders relied on finesse, personal relationships and negotiations to get business done. Also, as will be seen, kingpin smugglers tended to have dual citizenships and spoke multiple languages.

2. Profit or Ideology

Motivation is always difficult to discern. But rather than taking their inspiration from terrorist-like ideological objectives or zeal for radical religious teachings, SIA smugglers in the 19 cases were cast as primarily profit-motivated. In some cases, however, smugglers were so focused on profits that they chose to overlook evidence of client extremist beliefs and associations. Three other cases leave room to question if ideological sympathy with violent Islamic extremist groups did influence affirmative decisions to smuggle suspected terrorists.

Analysis showed that, in 17 of the 19 cases, prosecutors believed that personal profit primarily motivated the smuggling ringleaders, who often leveraged their unique knowledge, experience, or connections to demand tens of thousands of dollars per person for full-service stage-to-stage travel. The object of most of the 19 SIA smuggling conspiracies was, government prosecutors often wrote in boilerplate language, as in the case of the smuggler Maher Jarad, “for the purpose of commercial advantage and private

financial gain, knowing and in reckless disregard of the fact that said aliens had not received prior official authorization to enter."[137]

Sometimes, investigators, prosecutors, and judges found that smuggler thirst for profit was so profound that they opted to disregard their clients' backgrounds at the expense of national security. In the case against Iranian smuggler Muhammad Hussein Assadi, prosecutors wrote, "evidence at trial clearly showed that Assadi was driven in his illicit business purely by monetary gain and exercised no discretion at all with respect to the character or potential motives of those whom he helped smuggle into the U.S."[138] Assadi rejected government accusations that he was motivated purely by profit, offering that he "acted out of humanitarian motives to help refugees obtain asylum."[139] A jury was not swayed.

Indeed, in some of the cases, smuggler interest in profits did appear to override reticence to transport suspected terrorist clientele. The Pakistani-Ecuadorian smuggler Ifran Ul Haq presents an ambiguous case in point. Until his 2011 arrest at the Miami airport, Ul Haq for years had run a profitable, globe-spanning human smuggling network out of Quito, transporting mostly fellow Pakistanis willing to pay his $60,000 fees to cross the U.S. southwestern border. He was caught after HSI agents directed three undercover operatives to ask him to transport a fictitious member of the terrorist group Terik-e-Taliban, known as the Pakistani Taliban. The informants explained that the terrorist was in hiding, "blacklisted" by Pakistan, and that other fugitives like him needed similar assistance. Ul Haq was recorded accepting the offer, according to unsealed court documents, and that he was not concerned with what the Pakistani terrorist wanted to do once in the United States–"hard labor, sweep floors, wash dishes in a hotel, or blow up. That will be up to them." Ul Haq boasted he could smuggle blacklisted terrorist fugitives by having a corrupt immigration officer in Pakistan provide the airport exit stamp, naturally off limits to terrorist designees, and a bogus Ecuadorian passport bearing someone else's fingerprints, all used to move the "terrorist" from Lahore, Pakistan to

[137] United States v. Maher Jarad, U.S. Dist. Ct. (D.D.C., 2007), Indictment.

[138] United States v. Assadi, Government Motion for Upward Departure.

[139] Ibid., Government Trial Memorandum.

Dubai, UAE, Cuba, the Dominican Republic, and Haiti for the leg into Mexico. Ul Haq was charged with material support for terrorism and sentenced to 51 months in prison.

Other examples were evident of smugglers who moved people they, too, thought might have been terrorists. The Mexico City-based Nepalese smuggler Rakhi Gauchan, who charged clients up to $40,000, told an undercover government agent in 2013 that she believed a Pakistani client she smuggled into Arizona from Mexico was a terrorist, but she transported him on a partial-service basis anyway, for $3,500.[140] Later, American investigators confirmed that the Pakistani from the embattled region of Kashmir had indeed made it into the United States and was granted asylum. Agents interviewed him but the court records did not indicate if Gauchan's instinct was correct.

In 2004, the Pakistani smuggler Muhammad Qasum Lala was convicted of illegally transporting fellow Pakistanis over the U.S.–Canada border. After serving his sentence, Lala was returned to Canada, which deported him to Pakistan. In rejecting Lala's deportation appeal, a panel of judges lamented that, in his quest for personal profit, "the appellant either deliberately or recklessly disregarded the particular circumstances of the individuals, i.e., whether they were genuine refugees or economic migrants or criminals.... The panel finds the appellant continues to pose an unacceptable security risk to society and in undermining the integrity of the immigration system."[141]

In some cases, there is cause to question if sympathy for extremists contributed as much as profit to willingness to transport extremists. The 2010 Texas trial of Somali smuggler Mohammad Ahmad Dhakane is one such case. Dhakane was an SIA smuggler convicted of asylum fraud related to his own illegal crossing of the Texas border. Testimony was introduced purporting that, while working as a smuggler in South America, Dhakane facilitated the transportation of as many as seven Somali men across the Texas and California borders whom he knew, from long personal discussions in hotel rooms along the way, were extremist affiliates of the American-designated terrorist

[140] United States v. Rakhi Gauchan, 5th Cir. Ct. (W.D. Tex., 2014), Criminal Complaint, Document 3; Indictment; Government Motion for Upward Departure, Document 27.

[141] Lala v. Canada (Public Safety and Emergency Preparedness), 2010 83345 (IRB).

organization Al-Ittihad al-Islamiya (AIAI).[142] Dhakane eventually was compelled to admit to FBI case agents that these clients were "ready to die for the cause" but that he happily smuggled them anyway, which set off a nationwide FBI hunt for the unidentified men. While he was not sure of their purpose for entering the United States, Dhakane told agents he believed "they would fight against the U.S. if the jihad moved from overseas locations to the U.S. mainland."[143] Was Dhakane motivated solely by profit? Prosecutors suggested not. They introduced an array of evidence that Dhakane himself was deeply involved in AIAI, as a guerilla fighter, financier, and leader, before he became a smuggler of other AIAI operatives. The evidence justified a terrorism enhancement of 10 years extra in prison.

American smuggler Anthony Joseph Tracy's motives were similarly opaque. Tracy was an American convert to Islam who abandoned his wife and children in Virginia and moved to Kenya. There he took a Somali wife and had communication with the terrorist organization al Shabaab. Tracy eventually was convicted of providing false identity documents that allowed 270 Somalis to reach the United States. According to prosecution records from his 2010 Virginia case, Tracy admitted the terrorist organization al Shabaab asked him to provide fraudulent travel documents to its operatives and that he failed a polygraph test while insisting that he had refused the entreaty. Investigators produced in court a January 15, 2010 email from Tracy to an associate about his document fraud business, in which he stated, "I helped a lot of Somalis, and most are good, but there are some who are bad, and I leave them to Allah."[144]At a detention hearing, an ICE agent told the judge the admitted al-Shabaab contact, email, and failed polygraph evidence had prompted investigators to mount a nationwide around-the-clock hunt for Tracy's Somali clients on grounds that "we have no idea who these individuals are that he assisted. These individuals pose—possibly pose—a risk of national security to

[142] United States v. Muhammad Ahmad Dhakane, 5th Cir. Ct. (W.D. Tex., 2010), Government Sentencing Memorandum, Document 57.

[143] United States v. Dhakane, Transcript of Sentencing Hearing.

[144] United States v. Tracy, Detention Hearing Transcript, Document 72, 34; CIPA Hearing Transcript, Document 72, 9.

this country."[145] The case records show Tracy earned at least $80,000 in the course of a year.[146] He was never charged or convicted of terrorism, and there was no indication if he ever turned down fees out of sympathy to al Shabaab or to aid its operatives.

3. Ethnic Affinity

In the examined court cases, smugglers tended to favor fellow citizens and co-religionists for recruitment, likely due to shared language and culture but also because they were positioned to understand local demand patterns and could exploit community ties. In a study of illegal migration to Europe based on more than 300 interviews, Staring writes of finding "ethnic networks," in which those running commercial human smuggling enterprises and those who used them paired based on an embedded infrastructure of tea houses, cafes, mosques, shops, and cultural organizations.[147] Aside from the potency of a shared language, Staring writes, the smuggler and client common origins "are the foundation for the support compatriots can expect to receive."

Such ethnic affinity appeared to be the case in 16 of the 19 cases studied, a finding that emerged from a variety of other materials. In these cases, SIA smugglers transported compatriot clients from their own home tribes, countries, or geographical regions and only opportunistically strayed from this business model. The Guatemala-based Egyptian smuggler Ashraf Ahmad Abdallah, regarded in 2004 as one of ICE's most wanted smuggling kingpins, for instance, primarily recruited clients from the area around his home community of Bata in the Egyptian province of Qaubiya; he transported at least 100 of them through Guatemala and Mexico over several years.[148] According to the 9/11 Commission Staff Report on Terrorist Travel, court records, and press reports, Lebanese smuggler Boughader-Mucharrafille smuggled at least 200 fellow "Lebanese nationals sympathetic to Hamas and Hezbollah" into the United States from Mexico, including the high-ranking Hezbollah operative Mahmoud Kourani, who was smuggled

---

[145] United States V. Tracy, CIPA hearing transcript, Document 72.

[146] United States v. Tracy, CIPA hearing transcript, Document 72.

[147] Staring, "Facilitating the Arrival of Illegal Immigrants in the Netherlands."

[148] United States v. Ashraf Ahmed Abdallah, U.S. Dist. Ct. (D.D.C., 2001), Indictment.

into California in the trunk of a car in 2001 and was convicted a few years later on terrorism charges.[149] The Indian smuggler Kaushik Jayantibhai Thakkar mostly transported fellow Indians.[150] Sammy Lovelace Boateng and Mohammed Kamel Ibrahim were natives of Ghana operating a smuggling network from Mexico City and Belize City that moved hundreds of Africans to the U.S. border during the mid-2000s until their 2008 arrests.[151] In one case, a naturalized U.S. citizen who emigrated from Jordan to Detroit used her ties with immigrant communities in Michigan to recruit clients in Jordan.

The rule is not without exceptions, though, since smugglers were regarded as primarily profit motivated. Assistant U.S. Attorney Laura Ingersoll, who has prosecuted numerous SIA smuggling cases for the U.S. District of Columbia, was quoted by the Associated Press saying that "people from places in the Middle East will hear about who to go through, and they tend to be people from their same country, but once you get into the system we saw associations that really were driven by, 'What's the most effective way for me to move my product?'"[152] Iranian national Mohammed Hussein Assadi was convicted of running a network that moved not fellow Iranians, but mostly Iraqis willing to pay tens of thousands of dollars each. Anthony Tracy, the American with no known personal connection to Somalia, trafficked fraudulent Kenyan passports and ill-gotten Cuban visas primarily to Somalis. The Syrian smuggler Nizo Lorian, a naturalized U.S. citizen, transported numerous Chinese nationals, as well as Middle Eastern clients and anyone else willing to pay him up to $30,000 each to be brought through Central America and Mexico to Houston, Texas.[153]

---

[149] Eldridge, Ginsburg, Kephart, and Moore; *9/11 and Terrorist Travel*; Pauline Arrillaga and Olga R. Rodriguez, "Investigation: Smuggler Pipelines Channel Illegal Immigrants into the U.S.," *JournalStar*, July 3, 2005; United States v. Salim Boughader-Mucharrafille et al., 9th Cir. Ct. (S.D. Cal., 2002); Bensman, "Have Terrorists Crossed?"

[150] United States v. Kaushik Jayantibhai Thakkar, 5th Cir. Ct. (S.D. Tex., 2012), Plea Agreement.

[151] United States v. Mohammed Kamel Ibrahim and Sampson Lovelace Boateng, U.S. Dist. Ct. (D.D.C., 2007), Factual Proffer, Document 18.

[152] Arrillaga and Rodriguez, "Investigation."

[153] United States v. Nizar Kero Lorian et al., 5th Cir. Ct. (S.D. Tex., 2005), Indictment.

THIS PAGE INTENTIONALLY LEFT BLANK

V. FROM CRITICAL ENABLING MOBILITY FACTORS: THE LEVERAGE POINTS

As established in previous chapters, ultra-distance human smuggling networks and their leaderships are essentially multinational and multilingual, ethnocentric, and non-violent—though they violate the rule of law all along their routes. Rather than trafficking unwilling victims, they provide a service that is highly desired to customers who voluntarily pay sometimes-enormous sums. They are mostly motivated by profit, rather than ideology, although some cases suggest ideological affinity may have contributed to smugglers' willingness to move suspected terrorists.

Homeland security leaders who are interested in retarding SIA traffic long before it reaches the U.S. border should understand the most common enabling factors by which such long-distance smugglers succeed—and which staging or transit countries they prefer and why. This comprehension is essential in strategic planning and resource allocation to target logical disruption leverage points.

This chapter begins with a brief presentation of seven identified SIA smuggling leverage points for potential disruption by law enforcement and intelligence agencies. These are followed by extensive descriptions of the factors and other findings from which they were extracted. The more detailed, at-length descriptions of the findings and factors that most enable SIA smuggling are provided for other potential clues, not specifically singled out for more discussion, that might further inform how and where along routes law enforcement and intelligence officers might proceed against the networks. To visualize how these enabling factors likely influence travel patterns, five detailed route maps are provided indicating air, land, and sea modes. The maps show emigration routes *from* each of the three main countries of interest regions—the Middle East, South Asia and North Africa—and, separately, their northward movement *through* Latin America.

It has been noted elsewhere that transnational smugglers, in general, purposefully conduct their businesses in failed or failing states, sometimes under the guise of

legitimate business, and without regard to sovereign borders.[154] SIA smugglers have found other advantages in those countries but also in unexpected quarters, such as the consulate missions fielded by some Latin American nations in the Middle East. It also is shown that they leveraged local geopolitical circumstances specific to other countries, such as passive government interest in pass-through migration, under-resourced government institutions, unintentionally beneficial national policies, and corruption. The ability of smuggling enterprises to discern and leverage opportunities—sometimes one or two critical enabling factors—determined their success, but also informs the following seven leverage points for law enforcement intervention and intelligence collection opportunities.

(1) Leverage Point 1: Kingpins

SIA smuggling "kingpin" leaders are less dispensable than those who run other smuggling enterprises because they tend to own highly specialized capability sets such as dual citizenship and multiple languages, which allow freedom of intercontinental movement and flexibilities necessary to conduct business in multiple nations. They often maintained pivotal accesses to key corrupt officials or to necessary fraudulent documents. Because the most successful long-distance smugglers represent a kind of commodity, replacing them may not be quick or easy once they are removed. The criticality of SIA smuggling leaders to their networks strongly suggests low resiliency of organizations and a point of vulnerability with potentially outsized disruption potential.

(2) Leverage Point 2 : Foreign Consulates of Mexico and Latin America

Through bribery or lax policy, SIA smugglers have acquired crucial visas and passports from Mexico's consulate offices in Lebanon, Turkey, and India, from Belize's diplomatic mission in Singapore, Guatemala's consulate in Jordan, and Cuba's embassies in Syria and Kenya. SIA smugglers have incorporated into their business models acquisition of travel visas and passports from the consulate offices and embassies of Latin America that are located in the Middle East and elsewhere. Such travel documents

[154] Dietz, "Illicit Networks."

are critical because they put SIAs within striking distance of the U.S. border, shortening travel time, distance, risk, and expense. In some instances, consul workers or diplomats were corrupted to provide the documents—in others, fooled. The implicated countries included Mexico, Guatemala, Belize, Ecuador, Bolivia, Brazil, Venezuela, Cuba, and the Dominican Republic.

(3) Leverage Point 3: The Hostile Nations

Countries diplomatically estranged from the United States offered critically enabling advantages to SIA smugglers in the sense that they were relatively impervious to U.S. demands for action or the threat of U.S.-sponsored bilateral investigation. Cuba, Venezuela, Russia, Bolivia, and, to a certain extent, Ecuador figured often in SIA smuggling as transit and staging countries. In addition to cold diplomatic relations that limited or entirely precluded responsiveness to U.S. concerns, some of these countries also featured weak internal border enforcement capability, disinterest, and corruption that appealed to SIA smugglers.

(4) Leverage Point 4: Defrauding the U.S. Asylum System

SIA smugglers and individual migrants have incorporated into their recruiting and operations advice and promises of U.S. asylum through fraud. The probability of achieving access to the American asylum processes emerged in the data as a critical enabling factor in migrant recruitment, since asylum mitigates the risk of costly deportation and loss of the significant smuggling investment. Smugglers helped their migrant clients exploit vulnerabilities in U.S. legal and vetting processes to fraudulently gain political asylum. U.S. asylum, which normally leads to permanent residence and legal status, was often regarded as an essential objective and success metric of the smuggling service. Several of the SIA smuggling organizations embroidered into their service promises of asylum at journey's end and advice about how to commit asylum fraud if necessary to achieve this crucial legal status.

(5) Leverage Point 5: The Expatriate Communities of Latin America

SIA smugglers and individual migrants have found critical facilitating support from within expatriate communities of similar ethnicity or nationality. Generational immigrant communities of Middle Eastern and African origin reside in key transit countries such as Ecuador, Venezuela, Guatemala, and Mexico. SIAs and their smugglers have found in these communities crucial same-language hubs, enabling information exchanges, referrals to smugglers and clients, fraudulent document acquisition, communication, money transfers, travel arrangements, lodging, and temporary employment to raise funds for travel. In some cases, hotels and boarding houses used to stage SIAs in South America became central social exchanges, attracting ethnic and religious compatriots seeking to breach the American border.

(6) Leverage Point 6: Catch, Rest, and Release Policies

Mexico, Panama, and other countries of Latin America sometimes only briefly detain apprehended SIAs. Rather than deporting SIAs, these governments shelter, feed, and then release them with temporary legal status permission so they could continue their northward journeys. These practices proved critical to SIA smuggling; the migrants often have too much at stake to risk apprehension and deportation far from the U.S. border. Because their journeys start on the other side of the globe, SIA are unlike others traveling through Latin America. By the time they reach the hemisphere, many have paid tens of thousands of dollars in smuggling fees, airline tickets, false documents, and bribes to make physically arduous journeys requiring many months in transit—potentially a once-in-a-lifetime fortune not easily raised for a second or third trip. Catch and release policies mitigate those deleterious consequences of deportation and loss of smuggling investments.

(7) Leverage Point 7: Critical Enabling Factors of Six Nations

SIA networks have purposefully routed their clients through the same six transit or staging countries in Latin America on a northward march to the U.S. southwestern border: Ecuador, Brazil, Colombia, Panama, Guatemala, and Mexico. Some of these

countries were chosen in part out of geographical necessity; for instance, Panama offers the only land-based exit northward from South America, Guatemala acts as a land bridge to Mexico, and Mexico is the only country from which to access the U.S. southwestern border by land. But these six nations also all feature four distinct enabling geopolitical factors, which proved critical to the forward mobility of SIAs and minimal risk of arrest to their smugglers: politically passive governments indifferent to trans-migration and U.S. security concerns, weak government institutions and budgets that preclude direct action, formal policies that unintentionally aided SIA migration, and corruptibility of border and airport customs officials.

The following sections describe the findings of the analysis from which the main leverage points of intervention were extracted. Chapter VII describes 15 strategies recommended to take advantage of the leverage points and suggest an approach to other important enabling factors as well.

A. THE KINGPINS

The research for this thesis strongly suggests that, unlike the ever-replaceable leaders of other kinds of clandestine smuggling operations, those who run ultra-distance people-smuggling networks are not easily replaced; they bring a higher degree of often-necessary specialization and capability to their enterprises, suggesting lower resiliency. SIA smuggling kingpins tend to be highly specialized individuals with dual citizenships, language skills, and key connections. The criticality of kingpin capabilities—uniquely, in SIA smuggling, as opposed to most other kinds of clandestine smuggling enterprises—presents a leverage point opportunity for law enforcement intervention.

Until their arrests, many of the smugglers examined successfully operated full-service stage-to-stage guided operations by relying extensively on their own personal mobility, often enabled by bi-national citizenship in a migrant source country and in a key staging country. Approximately 18 of the 19 prosecuted smugglers maintained dual citizenships and/or residences in various countries; one (Umanzor-Lopez) lived in her

native Guatemala but apparently was able to travel into and out of the United States.[155] Their dual passports, bi-national residencies, and multilingualism, combined with business acumen, provided the ability to legally enter and exit nations at will, manage clients and underlings, and carry out recruitment and staging. A case in point is Mohammed Kamel Ibrahim, the Ghana citizen who helped run the Boateng network. He was a naturalized Mexican citizen who spoke fluent Spanish and was able to travel frequently between Mexico and Africa.

SIA smugglers used their travel and linguistic flexibilities in a range of countries to access document fraud infrastructure, corrupt officials, safe houses or hotels, and associate smuggling organizations. Prosecutors described the versatility of one such smuggler, Eritrean national Halbtom Merhay this way: "The defendant is believed to be a citizen of Great Britain, to reside in the United Arab Emirates, and to travel frequently to London, England" and therefore "has contacts with fraudulent document vendors, human smugglers, and travel agents in numerous countries."[156]

American and British passports, given their acceptability in the widest range of nations, proved to be of particular value for Merhay and three others of the 15 smugglers. For example, Lorian held U.S. citizenship but maintained residences in Guatemala and Mexico, enjoying ease of travel throughout Latin America and the United States. Investigators noticed that the American passport of naturalized U.S. citizen Neeran Zaia, who was also a citizen of Jordan and speaks Arabic, Spanish, and English showed extensive travel to the Middle East and throughout South America. But the passports of other countries offered legal entre to many of the countries necessary for operations. Furthermore, most of the smugglers also appeared to make significant use of their knowledge of other languages, particularly Spanish and English. The Iranian smuggler

---

[155] Abdallah (Egypt/Guatemala), Arbane (Syria/United States/Ecuador), Assadi (Iran/Ecuador), Boteng and Ibrahim (Ghana/Belize/Mexico), Boughader-Musharafille (Lebanon/Mexico), Dhakane (Somalia/Brazil/Guatemala), Fessahazion (Eritrea/Guatemala), Gauchan (Nepal/Guatemala/Mexico/Japan/Asia/Europe), Gerald (Trinidad and Tobago/Guayana), Lala (Pakistan/Canada) Jarad(Jordan/Ecuardo), Lorian(Syria/United States/Mexico/Guatemala), Malhndary (United States), Merhay (Eritrea/Great Britain/ United Arab Emirates) Thakker(India/Dominican Republic/Mexico/Guatemala), Tracy(United States/Kenya) Ul Haq (Pakistan/Ecuador), and Zaia (Jordan/United States.)

[156] United States v. Merhay, Government Motion for an Order to Seal, Document 2.

Assadi, who lived in Ecuador, for instance, was fluent in Arabic, Spanish, and "other languages" as well.[157] Languages, coupled with the ability to legally travel globally at will, enabled smugglers to speak with home country clients, as well as with indigenous smuggling partners, brokers and facilitators of various sorts.

Information from the collected data could not sufficiently determine the extent to and speed at which arrested SIA smuggling kingpins were replaced and their disrupted operations restored, a subject worthy of additional study. But some limited reporting suggests that restoration of SIA smuggling may be slower than other kinds of illicit black market enterprises. A U.S. immigration officer testified in a Mexican court affidavit that, after the Mexico-based Lebanese smuggler Salim Boughader-Musharaffille was arrested in 2003, a few months passed before other smugglers returned to helping Hezbollah-affiliated migrants illicitly enter California from Tijuana.[158] Left unclear in the reporting is whether or not the new organization was able to move migrants by the hundreds as did Boughader-Musharaffille.

Other case records revealed that underlings do lie in wait for kingpins to be removed or to step aside, although timelines were not available to indicate delay times. For instance, the 1997 arrest of a "legendary" Ecuador-based alien smuggler named George Tajirian, responsible for smuggling hundreds of Middle Easterners into the United States during the 1990s, was followed by a competition for the helm among numerous successors.[159] The prolific Iranian smuggler Mohammed Hussein Assadi won out and ran his highly lucrative network until his own 2002 arrest. The Somali smuggler Dhakane, who had begun working as an operative for a major full-service smuggling kingpin in Brazil, was forced to quit the organization under threat and cross the U.S. border after he was discovered moving clients on his own without the kingpin's knowledge.

---

[157] United States v. Muhammad Hussein Assadi, 223 F.Sup.2d (2008), Government Trial Memorandum.

[158] Arrillaga and Rodriguez. "Investigation: Smuggler Pipelines Channel Illegal Immigrants into the U.S."

[159] United States v. Assadi, Government Motion for upward Departure.

B. FOREIGN CONSULATES AND EMBASSIES OF LATIN AMERICA

Given the vast distances and nations that SIAs must transit to the southwestern border, document fraud in passports, visas, and identity papers figured as a common denominator in all 19 SIA smuggling cases. The fraud perpetrated to acquire these key enabling documents took on many creative forms, ranging from altered stolen visa waiver European passports, forged visas, false identification cards, and fake banking and personal financial information required by visa offices. Migration studies and previous scholarly works on human smuggling have recognized document fraud as the one indispensible key to cross-border mobility.

Arguably less recognized, if at all, is the role played by foreign diplomatic missions of Latin American transit countries—not in Latin America, but *inside* the originating countries of interest. These foreign diplomatic stations appear to have often figured in extreme-distance people smuggling by providing crucial travel documents, largely sight unseen. Their critical role in some of the smuggling suggests that diplomatic missions of Latin American countries present a leverage point for law enforcement intervention as will be described next.

It helps first to understand that, for SIA travelers still in their home countries, a prerequisite of any planned U.S. southwestern border crossing is that they must first reach, most preferably, Mexico or then, in descending order of preference, any of the nations to its south offering route approaches to Mexico. Visas or passports enabling passage to these countries can put a migrant within striking distance of the U.S. border—the closer the better. The migrants and their smugglers, however, can be hard pressed to acquire real visas or passports from their local consulate of the 23 nations of South America, seven of Central America, or from Caribbean island territories and states such as Cuba and the Dominican Republic.

Court filings and other publicly available materials indicated that SIA smugglers have incorporated into their business models the presence, inside the Middle East and the other regions, of the foreign consulate and embassy offices of Mexico and nations to Mexico's south. Latin American diplomatic missions in countries such as Jordan, Syria,

India, Russia, Kenya, and Turkey unwittingly, wittingly through corruption, indifferently—or with hostility—provided crucial passports and visas, enabling SIA smugglers to transport their clients to Western Hemisphere landings. In turn, such landings put them within striking distance of the U.S. border.

Not all South American and Central American nations maintain foreign consulates in all high-risk source countries. Among those that surfaced from the data, however, were the foreign consulates of Mexico, Guatemala, Belize, Ecuador, Bolivia, Brazil, Venezuela, Cuba, and the Dominican Republic. Sometimes corruption played a definitive role in the document provision, but so, too, may fraudulent applicant behavior intended to outwit visa application personnel. A typical example emerged from the FBI transcript of a covertly recorded conversation between an undercover FBI informant inside a Texas detention facility and the Brazil-based Somali smuggler Ahmad Dhakane, who had just been apprehended crossing the border from Mexico. The informant was posing as a potential smuggling sponsor for a brother still in Somalia. Dhakane explained that, through his connections with a Nairobi, Kenya church, he obtained six-month Brazil missionary visas and 90-day Mexican visas for clients who typically paid about $9,000 each for the complete U.S. trip.[160] As a bonus, Dhakane let the informant know that missionary visas also enabled his clients to obtain free traveler's health insurance.

The enabling power of Latin America's visas, through diplomatic missions abroad, is exemplified by 24-year-old Iraqi war refugee Ahmr Bahnan Boles, whose 2006 globe-trotting, solo journey from Syria to the Texas border was documented in articles published by *Hearst Newspapers* the following year.[161] During the American war in Iraq, Islamic extremists drove Boles, along with hundreds of thousands of other Iraqi Christians, into the neighboring countries of Syria and Jordan. Tight quotas on refugee visas to the United States and other Western countries, predictably, led to a booming human smuggling market, which escalating demand and values of all travel documents. In Damascus, Boles met a smuggler who, for $700, arranged the purchase of a tourist visa

---

[160] United States v. Ahmad Dhakane, FBI Verbatim Translation, Document 68–69.

[161] Bensman, "Breaching America: "War Refugees or Threats?" *San Antonio Express-News*, May 20, 2007.

from a Guatemala consulate station in downtown Amman, Jordan; the photo in Figure 7 shows the inside of the consulate office. Boles himself did not personally appear at the consulate station in Amman, as ordinarily required for such applications, his background was not vetted, as is also officially required.[162] The document procurement agent returned with the visa to Damascus. With the Guatemala visa stamped inside his Iraqi passport, Boles then traveled a few miles to the local Cuban embassy in another Damascus neighborhood. There, for a $70 application fee, in a half hour with no questions asked, Boles had secured a Cuban transit. The following year, in 2007, the Honorary Consul of Guatemala's Amman mission told a reporter that she strictly follows the rules, and refused to talk further.[163]

Figure 7. Interior Office of Gautemala's Honorary Consul to the Kingdom of Jordan, Circa 2007

Citizens of Middle East countries obtained visas necessary to reach Guatemala and eventually cross the U.S. southwestern border. Iraqi asylum seekers Ahmr Boles and "George and Baida," who crossed the Texas border, reportedly obtained their Guatemala visas from this office located above the furniture store of a Jordanian appointed Honorary Consul. The office was located in the main business district of downtown Amman, the capital of Jordan, a Guatemala flag flying atop a pole outside the building. Previously unpublished 2007 photo by Staff Photographer Jerry Lara. Printed with permission of the *The San Antonio-Express News*.

[162] Ibid.

[163] Ibid.

In Damascus, the Cuban Foreign Service officer in that country's Syrian embassy told a reporter "that his country happily grants visas to any Middle Easterner who asks, because America doesn't give anyone the opportunity to take refuge, especially after 9/11."[164] When asked about vetting processes involved in granting visas to Iraqi war refugees in Syria, the Cuban diplomat said he was pleased to send Iraqis, even potential terrorists, to the home state of President Bush, as just desserts for starting the Iraq war. "I'm sorry your president is from Texas," he said. Now, you're receiving your own medicine. The problem started in Texas, and it's finishing in Texas."[165]

To exit the Damascus airport without question and fly to Moscow, the two visas were necessary for Boles, a male Iraqi of fighting age from a hot war zone where al Qaeda extremists were combatants. Once in Russia, he was again able to pass legally and again avoid questioning or detention, which would have ended his U.S.-bound journey. Instead, with his visas, Boles was able to proceed to Cuba and then finally to Guatemala City. Once in Guatemala, he found his way to a smuggler in Mexico who brought him over the Texas border as an asylum claimant.

Boles likely would never have escaped the Middle East without the probable corruption of one nation's foreign consulate office and the diplomatic estrangement of another nation's.

The Damascus Cuban embassy personnel's willingness to grant travel visas to Boles (and anyone else who asked in Syria), with little regard for U.S. sensitivities, underscores the even more expansive role that foreign embassies and consulates have played in the years since 9/11—particularly in nations with which the U.S. is diplomatically estranged, or that are indifferent to U.S. security concerns. For instance, Venezuela, which has been at diplomatic odds with the United States since Hugo Chavez came to power in 1999, was an SIA transit country in several of the examined court prosecutions. The U.S. Department of State's 2014 Country Reports on Terrorism noted that Venezuela had not cooperated fully with U.S. counterterrorism efforts for nine

[164] Ibid.

[165] Ibid.

consecutive years.[166] In 2007, long lines of local citizens, in the Venezuelan embassy in Damascus, Syria, waited for nine different kinds of tourist and business visas described as easy and affordable to receive.[167] Notably, the State Department report omits reference to Bolivia, which had cut most ties to the United States in 2008 when a leftist government took power; Bolivia also has frequently figured as an SIA staging and transit country.

Mexico's foreign missions were among the most problematic, perhaps due in part to the corrupting and highly sought value of Mexican visas. Mexican visas reduce the travel distance within Latin America and its associated costs and physical difficulty. They can bring SIA asylum-seeking migrants right to the door stoop of the United States. Court cases and public data showed that Mexico's embassies have figured in SIA smuggling in Cuba, Turkey, India, Jordan, Colombia, Lebanon, and Belize, where visas or blank passports were fraudulently sold for thousands of dollars each.

To be sure, Mexican authorities have taken steps to fire and prosecute some consular employees caught taking bribes, as they did after discovering the Lebanese smuggler Boughader-Musharrafille bribed employees of Mexico's Beirut embassy to provide hundreds of visas to his California-bound clients.[168] After a Mexican investigation of Beirut-based Mexican embassy employees in November 2003, a veteran Foreign Service officer was fired for the disappearance of passports from the consulate office; the investigation proved the employee sold the passports for up to $4,500 each in service to the Boughader-Muscharrafille network.[169] The same investigation turned up evidence, however, that Mexican visas and passports also were being sold out of other unspecified Mexican consulate offices, including the one in Cuba.[170]

---

166 U.S. Department of State, *Country Reports on Terrorism 2013: Western Hemisphere*, (Washington, DC: U.S. Department of State), http://www.state.gov/j/ct/rls/crt/2013/224825.htm.

167 Ibid.; Bensman, "Breaching America."

168 Arrillaga and Rodriguez, "Investigation: Smuggler Pipelines Channel Illegal Immigrants into the U.S."

169 Tom Diaz and Barbara Newman, *Lightning out of Lebanon: Hezbollah Terrorists on American Soil* (New York: Random House, 2006), 221.

170 Ibid.

Fraudulent use of Mexican visas and passports continued after this 2003 investigation. The 2005 smuggling prosecution of Iranian Zeayadale Malhamdary showed that Malhamdary predicated his operation on acquiring Mexican visas, for which he would charge $12,000 each.[171] At one point, Malhamdary boasted to one undercover agent that he had smuggled 60 Iranians over the Mexico-Arizona border by previously obtaining Mexican visas.[172] Malhamdary would fly to meet his prospective Iranian clients in Tehran or European cities, collect their passports, and deliver the documents to a third party, who would somehow obtain and insert the Mexican visas into the passports without the applicant being physically present (as is required). The passports would then be returned to their owners for travel.

Mexico's Honorary Consul in Jordan, appointed in 2004, acknowledged in a 2007 interview that his predecessor, under American pressure, was dismissed for accepting bribes to provide Mexican visas to those desiring to cross the U.S. border.[173] Honorary Consul Raouf N. El-Far said in 2007 he then began routinely receiving the same bribery offers from Iraqis, Syrians, and Jordanians who openly disclosed plans to be smuggled over the U.S. border. He described an offer from a Jordan-based smuggler to provide El-Far with $100,000 per month in exchange for 10 monthly visas in perpetuity, an offer El-Far said he declined because "it is against my principles."[174] Under U.S. pressure after 9/11, El-Far said that Mexican intelligence, for the first time conducted a background investigation on a Jordanian consul—him. The check, he said, was so thorough "they wanted to know how many times I kissed my wife before I go to bed."[175]

Despite such Mexican efforts to enforce integrity following 9/11, Mexican consulate offices in the Middle East remained vulnerable. In March 2008, for example, three Afghans were discovered at the Kuwait airport posing as Mexican citizens en route

---

[171] United States v. Zeayadale Malhamdary, 9th Cir. Ct. (D. Ariz., 2005), Second Superseding Indictment, Document 42.

[172] Ibid, Plea Agreement, Document 74; Ruggiero "Feds Claim Sting."

[173] Bensman, "Breaching America: War Refugees or Threats?"

[174] Ibid.

[175] Ibid.

"home" to Mexico.[176] The Afghans were detained during a layover when a customs officers asked them to speak Spanish and two of the three could not. Each carried an authentic, bar-coded passport with Mexican pseudonyms.[177] Investigation showed the Afghans obtained the passports from the Mexican consulate office in Mumbai, India by paying $10,000 each to a corrupted official.

Three Iraqi Kurds apprehended after crossing the Texas-Mexico border in 2009 similarly told a reporter they paid a Turkish smuggler named "Murat" $20,000 apiece to secure Mexican visas, along with airfare (see Figure 8).[178] They said they gave Murat their passports and then the next day met Murat at the Mexican embassy in Ankara, Turkey, where the smuggler handed them their Iraqi passports with Mexican visas inside.[179] The Boateng smuggling operation, in which two Ghana nationals moved hundreds of Somalis and Eritreans to the U.S. border through Belize and Mexico until their 2010 arrests, relied on corrupt personnel in both Belize and Mexican consulates fraudulently providing visas.[180]

---

[176] Guillermo Contreras and Todd Bensman, "Three Afghans Arrested with Fake Mexican Passports," *San Antonio Express News*, March 24, 2008, http://ibloga.blogspot.com/2008/03/afghan-nationals-caught-with-genuine.html.

[177] Ibid.

[178] Todd Bensman, "Iraqi Border Jumpers." *Global Post*, May 30, 2010.

[179] Ibid.

[180] United States v. Ibrahim and Boateng, Factual Resume.

Figure 8. Three Iraqi Kurds Detained in Texas

After obtaining Mexican visas from the Mexican embassy in in Ankara, Turkey, the three Iraqis were apprehended in 2009 and taken to the ICE detention facility in Pearsall, Texas. They said a full-service stage-to-stage human smuggler transported them to Texas for $20,000 each.

Data collections also showed that other country consulates often enabled SIA travel and smuggling as well, particularly Cuba, Belize, Ecuador, Venezuela, Trinidad and Tobago, and the Dominican Republic. The Guyanese smuggler Annita Devi Gerald, who had citizenship and a house in Belize, worked with co-conspirator Dhanraj Samuel of Trinidad and Tobago to move Indians and other South Asians from Singapore to Houston, Texas. To enable the travel, they provided fraudulent Belize business visas obtained from that country's consulate office in Singapore, then provided Mexican visas to ease domestic air travel within Mexico. Fees were included in $20,000 package deals.[181] The American fraudulent document provider, Anthony Joseph Tracy, was able to provide hundreds of Cuban visas to Somalis in Kenya by bribing two employees of the Cuban embassy in Nairobi, Kenya, identified in court records as "Consuela" and "Helen."[182] Both were fired after Tracy was arrested and provided information to

[181] United States v. Annitta Devi Gerald, 5th Cir. Ct. (S.D. Tex., 2009), Criminal Complaint.

[182] United States v. Tracy, Government Affidavit in Support of Complaint.

American law enforcement.[183] The Iranian smuggler Assadi was able to secure hundreds of Bolivian visas from the Bolivian embassy in Beijing as part of a smuggling operation that also transported Middle Easterners.

C. GAMING THE U.S. ASYLUM SYSTEM

That SIAs often seek political asylum differentiates them from the vast majority of Mexican migrants, who seek mainly to work in the American labor markets and would not easily qualify on the basis of racial, religious, or political persecution.[184] As mentioned previously, a deportation home for an SIA is costly and not easily ameliorated by follow-up attempts, making the promise of access to the U.S. asylum system a highly critical component to SIA recruitment and its financial viability. An asylum claim at the American southwestern border provides opportunity for SIAs to gain legal status, with citizenship in the offing, and avoid the unacceptable smuggling investment loss that a deportation home portends. For these reasons, the promise that U.S. asylum holds for SIAs and their smugglers represents a leverage point opportunity for law enforcement intervention and intelligence collection.

Middle Eastern and South Asia migrants consistently ranked among the top 20 approved asylum seekers from 2000 through 2009.[185] Such trends have long raised national security concerns; according to a Congressional Research Service Report, terrorists from countries of "special concern, i.e., Saudi Arabia, Syria, Iran, Pakistan, Egypt, Lebanon, Jordan, Afghanistan, Yemen and Somalia) would seek to hide their asylum claims among the hundreds of thousands of pending cases."[186] In 2009, the FBI arrested two Iraqi refugees who worked as al Qaeda insurgents during the war, and were plotting homeland attacks in Bowling Green, Kentucky; their arrests stopped and later significantly slowed an Iraqi refugee resettlement program to allow for more intense

---

183 Ibid.

184 Todd Bensman, "Attorneys Speak out on Mexican Deportations," *Global Post*, May 30, 2010, http://www.globalpost.com.

185 Ruth Ellen Wassem, *Asylum and "Credible Fear" Issues in U.S. Immigration Policy* (CSR Report No. R41753) (Washington, DC: Congressional Research Service, 2011).

186 Ibid., 32–33

security vetting.[187] When hundreds of Syrian war refugees began crossing the Mexico-California border in 2012, after traveling on Mexican tourist visas, once again concerns were expressed about whether or not the security vetting process was capable of identifying Islamic extremists who might be among them.[188] The Department of Homeland Security's 2008–2013 Threat Assessment, cited in open media, framed the asylum fraud potential as primary threat from SIAs with terrorism connections:

> At the highest level of concern, terrorists will attempt to defeat border security measures with the goal of inserting operatives and establishing support networks in the United States. These illicit actors also could pose as refugees or asylum seekers to gain access to the U.S. State failure and internal conflicts abroad will continue to generate sizable refugee flows to the United States—notably from countries of special interest for terrorism in the Middle East, Africa, and South Asia—which could provide opportunities for illicit entry.[189]

Court records and other materials suggest that some SIA smugglers and individual SIAs, including a number purportedly involved with terrorism organizations, have knowledgeably exploited vulnerabilities in U.S. legal and vetting processes to fraudulently gain asylum. They have done so by claiming false persecution stories or by omitting disqualifying personal history. In fact, several of the smugglers embroidered asylum fraud abuse into their operations—a finding that lends credence to often-articulated national security concerns about SIA border crossings. Such fraud occurs against a backdrop of questionable U.S. effectiveness to detect it. A 2008 GAO survey of asylum officers, for instance, showed that 75 percent believed "they needed additional training to help them detect fraud, conduct security checks and assess the credibility of asylum seekers."[190] In 2014, four Republican congressmen asked the GAO to investigate the asylum process after a leaked DHS report showed that up to 70 percent of cases

---

[187] James Gordon Meek, Cindy Galli, and Ross Brian, "Exclusive: U.S. May Have Let 'Dozens' of Terrorists into Country as Refugees," *ABC News*, November 20, 2013, http://abcnews.go.com.

[188] Miriam Jordan, "Syrians seek U.S. Asylum via Mexico," *Wall Street Journal*, February 20, 2014, http://www.wsj.com/.

[189] Todd Bensman, "Travelers from Muslim Countries Still Jumping U.S. Borders," PJ Media, February 20, 2009.

[190] Government Accountability Office, *U.S. Asylum System: Agencies Have Taken Actions to Help Ensure Quality in the Asylum Adjudication Process, but Challenges Remain* (GAO-08-935) (Washington, DC: Government Accountability Office, 2008), http://www.gao.gov/assets/290/281583.html.

contained proven or possible fraud.[191] While the extent to which asylum fraud among SIAs likely is beyond ascertaining, in four of the 19 collected court cases, SIA smugglers specifically instructed their clients to make fraudulent U.S. asylum claims, or did so themselves, so they could secure permanent residence and legal status. Other analyzed materials added validity to this finding.

One of the four court cases showed that Mexico City-based Nepalese smuggler Rakhi Gauchan showed she smuggled scores of Pakistanis, Bangladeshis, and Indians over the Texas border until her 2013 arrest. According to an HSI agent complaint, as part of the service, Gauchan instructed most of her smuggling clients to falsely claim asylum either when they presented themselves at a U.S. port of entry or entered between ports.[192] The smuggler was familiar with the U.S. political asylum process, particularly with respect to how long asylum applicants are detained and which stories were most likely to ensure that U.S. officials granted asylum. A confidential informant in the Gauchan organization reported watching the smuggler provide her clients with such fraudulent stories. For instance, they were told to tell immigration officials that they belonged to persecuted political parties, regardless of their actual affiliation.[193] Gauchan was aware of even arcane legal details of the U.S. asylum process. Italy had already rejected one Pakistani client being prepared for the final leg to the southwestern border, an automatic disqualifier for U.S. asylum; Gauchan advised her client not to tell U.S. immigration authorities about the Italian denial and to change the story he had used in Italy.[194]

Exploiting the asylum system was embroidered into the smuggling operation run by Iranian national Muhammad Hussein Assadi, who, until his 2002 arrest, ran a globe-spanning, full-service network that moved Middle Eastern Arabs though South America and had them arrive in U.S. airports on false passports. According to a government press release, Assadi instructed his clients to destroy all of their fake identification documents

---

[191] Cheryl K. Chumley, "Four GOP Reps Press for GAO Probe of 'Rampant' Asylum Fraud," *Newsmax*, February 25, 2014, http://www.newsmax.com/.

[192] United States v. Rakhi Gauchan, Complaint, Document 3.

[193] Ibid.

[194] Ibid.

and hide in the arrival areas of U.S. airports.[195] Drawing on his deep understanding of immigration procedures, Assadi told his clients to then surrender to U.S. immigration without disclosing their true place of origin, knowing they would be likely released pending deportation proceedings and could next claim asylum, potentially resulting in permanent legal status.[196]

As mentioned, Somali smuggler Ahmad Muhammad Dhakane ran a smuggling network from Brazil to Texas that transported as many as seven potential Somali jihadists over the U.S. southwestern border. He instructed them, as he did most of his clients, how to fraudulently claim U.S. asylum to American authorities upon arrival. Dhakane told agents that, "based on his conversations with his smuggling clients and his extensive familiarity with United States asylum law, he knew that none of the individuals he smuggled had a valid claim to be in the United States."[197] Court records showed that when Dhakane decided to retire from smuggling in 2008, he crossed from Mexico into Texas and claimed asylum himself based on a fraudulent persecution tale that omitted his own terrorism and smuggling past. Prosecutors charged and convicted Dhakane of asylum fraud when he was serendipitously found to have lied to immigration officials about his own extensive terrorist background—unbeknownst to Dhakane, an undercover FBI informant had been deployed inside the Texas detention center. Dhakane later admitted to agents he had been a guerilla fighter for the terrorist group AIAI and worked as a ranking "hawaladar," or transferor of funds outside the normal banking system for senior AIAI leaders, one of whom was his uncle, and another of whom so trusted him that he offered Dhakane his daughter's hand in marriage.[198]

Another prolific SIA smuggler, the Eritrean citizen Samuel Abrahaley Fessahazion, received U.S. asylum on November 13, 2008 after illegally entering Texas six months earlier. In his application, he claimed he had been traveling across Africa in

---

[195] U.S. Department of Justice, "Iranian Convicted of Running Profitable Alien Smuggling Operation in South America, October 3, 2002.

[196] Ibid.

[197] United States v. Dhakane, Government Sentencing Memorandum, Document 57.

[198] Ibid.

2007 and 2008, fleeing persecution in Eritrea, when the evidence showed he actually was in Guatemala, running a prolific smuggling network bringing East Africans into the United States for profit.[199]

Other cases anecdotally demonstrate that SIAs with disqualifying terrorist associations and pasts still may view asylum fraud as an effective means to achieve legal status after they have been smuggled. Already discussed was the case of Somalia natives Abdullahi Omar Fidse and Deka Abdallah Sheikh, who were smuggled to the Texas border with counterfeit passports, Mexican visas, and airfare to Mexico City, hotels, and transportation.[200] In their asylum petitions, they falsely claimed the terrorist group al-Shabaab killed their family members. The story, crafted to meet baseline legal standards for starting asylum processes, would have worked if Fidse had not told an undercover informant—again stationed in the detention center—that he was an al-Shabbab member who had come to the United States to conduct an unspecified terrorist operation.[201]

According to media reports citing a Texas intelligence assessment, Border Patrol agents in 2010 apprehended two Bangladeshi SIAs near Naco, Arizona who immediately claimed asylum.[202] One of the men, probably unknowingly, made the disqualifying claim he had worked for the General Assembly for Harkat-ul-Jihad-al-Islami-Bangladesh, a designated terrorist organization. Subsequently, one of the two Bangladeshis was deported; however, the other was granted bond on an asylum claim and absconded.[203]

D. ETHNIC DIASPORA COMMUNITIES

Expatriate communities in key transit countries have played stepping-stone roles in smuggling facilitation, although the extent to which this occurs was unclear. What did emerge from the available data was that some facilitation activities occurred in expatriate

---

199 United States v. Fessahazion, Plea Agreement, Document 23.

200 United States v. Fidse and Sheikh, Defendant's Motion to Dismiss for Due Process Violation; Unsealed Indictment, Document 3.

201 United States v. Fidse and Sheikh, Detention Order, Document 26.

202 Brian M. Rosenthal, "Border Surge Harming Crime Fighting in Other Parts of Texas, Internal Report Finds," *Houston Chronicle*, February 24, 2015, http://www.scribd.com/doc/256933420/Border-Surge-Report.

203 Ibid.

communities of Middle Eastern and African origin, residing in key transit countries such as Ecuador, Venezuela, Guatemala (see Figure 9), and Mexico. To SIAs and their smugglers, these communities provide crucial same-language hubs that enable information exchanges, referrals to smugglers and clients, fraudulent document acquisition, communication, money transfers, travel arrangements, lodging, and temporary employment to raise travel funds. As a result of this finding, expatriate communities are identified as a leverage point for law enforcement intervention and intelligence collection opportunities.

In some cases, South American hotels and boarding houses used to stage SIAs became central social exchanges attracting ethnic and religious compatriots, such as a hotel that Muhammad Dhakane maintained in Sao Paulo, Brazil or a Holiday Inn in Quito, Ecuador used often by the Syrian smuggler Nizar Lorian. Iraqi war refugee Ahmr Boles' case exemplifies how expatriate communities can figure in long-distance SIA journeys.

Figure 9. Zone 1 in Guatemala City

Thousands of immigrant merchants, including many from the Middle East, have resettled in Guatemala City's Zone 1, where SIAs can find smuggling connections, comfort, and assistance from compatriots who speak their own languages. Shops with familiar names, as well as native foods and religious and cultural touchstones, characterize parts of Zone 1.

In 2006, Boles was making his way from Syria to Texas, more or less on his own. After purchasing a Guatemala visa from a document broker in Syria, Boles flew alone to Guatemala City, where he found himself short of the knowledge and funds needed to proceed. However, Boles had been told he could fulfill these needs in the city's Zone 1, a central market where hundreds of Arabic-speaking merchants owned businesses and residences.[204] Boles soon found a small apartment and work selling electronics in one of the Zone 1 shops with names such as The Rio Jordan, Haifa, and The Egyptian. After a few months of acclimation, Boles had new friends who could put him in touch with smugglers. The common language and sympathy Boles found in Zone 1 enabled him to orient himself among compatriots crucial to his ability to continue northward. Amar Radi, secretary of the Arab Community of Guatemala, acknowledged the steady traffic of Middle Easterners on their way north.[205] "Many Arabs come here and work a while, get money and then go to the U.S," Radi said.[206]

Ecuador is another country in which helpful expatriate communities from countries of interest sprung up, along with human smuggling enterprises, after a 2008 change in government policy ended all visa requirements to enter the country. In the Boateng case, an ICE agent testified that, in cities like Quito, Ecuador, African migrants frequently gather at Internet cafes and "exchange information about how to move on to other places."[207] In 2011, under U.S. pressure, Ecuadorian authorities trailed by FBI agents raided 11 buildings in Quito thought to house illegal expatriate "Moslem" communities based on American allegations that they were aiding and abetting terrorism and human smuggling to the U.S. border.[208] FBI agents were allowed to interview many Pakistanis and others, after which six detainees reportedly were extradited to the United States.[209] Prosecutors strongly suggested that the Iranian smuggler Assadi, who was based in Ecuador and held dual citizenship there, converted to business purposes his role

---

[204] Bensman, "The Latin Connection."

[205] Ibid.

[206] Ibid.

[207] United States v. Ibrahim and Boateng, Case Memo in Support of Sentencing Recommendation.

[208] Freier, *Open Doors (for Almost All)*, 12.

[209] Ibid.

as "a prominent leading figure among communities of people from the Middle East in Ecuador—many of whom sought to come to the U.S. illegally."[210]

From his base in Mexico, home to hundreds of thousands of Lebanese immigrants and their descendants, the Lebanese smuggler Salim Boughader-Musharafille was not an itinerant smuggler; he was a well-known restaurateur with deep roots in Tijuana, Mexico. Boughader-Musharaffille owned the popular La Lebanesa Café. Through an underground, transcontinental information grapevine centered around the cafe, those wishing to be smuggled over the California border could make such an arrangement on premises. Lebanese migrants would find their own way to Tijuana, where they would promptly gravitate to the restaurant in search of smuggling arrangements. Partly in this manner, Boughader-Musharaffile was able to smuggle more than 200 visiting Lebanese over the course of about three years.[211]

E. CATCH, REST AND RELEASE: INSTITUTIONAL WEAKNESS, PASSIVITY, CORRUPTION AND POLICY IN KEY TRANSIT NATIONS

The State Department's 2014 country report on terrorism noted that Latin America as a region had only made "modest improvements to their counterterrorism capabilities and their border security" from the previous years.[212] It noted corruption, weak government institutions, weak or non-existent legislation, and lack of resources as primary causes for insignificant progress in some of the countries, even though most made some effort to investigate possible connections with terrorist organizations.[213] Analysis of the 19 court cases confirmed smuggler exploitation of these circumstances, as well as formal government policies that had, unintended or not, kept the northward passageways clear of law enforcement intervention. One such policy that surfaced in the data was the practice in some countries of releasing apprehended SIA migrants to continue their journeys, a critical leverage point for law enforcement intervention. But

---

[210] United States v. Assadi, Government Trial Memorandum.

[211] Arrillaga and Rodriguez, "Investigation: Smuggler Pipelines Channel Illegal Immigrants into the U.S."

[212] U.S. Department of State, *Country Reports on Terrorism 2014: Colombia* (Washington, DC: U.S. Department of State, 2015), http://www.state.gov/j/ct/rls/crt/2014/239409.htm.

[213] Ibid.

other country-specific geopolitical circumstances contribute to the leverage points of diplomatic hostility of some toward the United States and catch-rest-and-release policies.

In all 19 of the examined court cases, SIA smugglers, who themselves enjoyed great personal mobility and cash flows, were able to fully exploit: institutional government resource weaknesses associated with poor or nonexistent border control, government passivity or even hostility toward U.S. security goals, corruption among border guards and customs officials, and official policies such as catch-rest-and-release. Analyzing court cases and other materials helped identify six Latin American countries through which SIAs most often passed, consistently enabled by some or all of these geopolitical factors. They are: Ecuador, Brazil, Colombia, Panama, Guatemala, and Mexico. Sometimes, simple geography forced or encouraged funneling through certain countries (Colombia, Panama, Guatemala, and Mexico), while geopolitical conditions alone drew smugglers to others. Figure 10 exemplifies one such location.

Figure 10. A Truck Crossing the Border between Mexico and Guatemala

People and goods cross the dry land crossing border freely near La Mesilla, Guatemala. Lack of interest and corruption in both Mexico and Guatemala cause the border to be largely unregulated.

Among some of these countries, critical government practice enabling forward SIA travels are the catch, rest and release policies primarily practiced by Panama and Mexico, though other countries along the way follow suit. As will be seen, in catch-rest-and-release, SIA migrants apprehended in these countries are not detained for long periods, nor deported. Rather, the migrants are sheltered for a few weeks then released with legal documents to continue their northward journeys. These policies, however, work in concert with other country-specific geopolitical factors critical to the success of SIA smuggling. These are to be discussed contextually in this section along with catch-rest-and-release policies.

One clarifying example of how the other geopolitical variables work with catch-and release is the narrow exit route from South America into Central America by way of Colombia and Panama's Darien Gap. This was identified as a chokepoint route in the 2014 State Department Country Report on Terrorism, which acknowledged it "remained a growing pathway for human smuggling with counterterrorism implications."[214]

The SIA smugglers who funneled their clients into this route often started the journey after arriving to the continent from abroad through Ecuador and Brazil, chosen due to ease of visa acquisition, corruption, and customs' inability or disinterest to root out fraudulent travel documents. SIAs exiting Ecuador and Brazil were then able to travel virtually unimpeded to cross the land bridge entering Central America, enabled by official passivity, local immigration policy, and resource shortages. No military or police are posted in vast swaths of territory or along any the borders of either Colombia or Panama, despite media and U.S. government reporting about the route.[215] The 2014 State Department report, for instance, stated that Colombian border security "remained an area of vulnerability" in part because only 1,500 of the country's 180,000 national police officers were devoted to border security elsewhere.[216] Furthermore, Colombia could not conduct any vehicle or passenger inspections at land border crossings, only used

---

[214] Ibid.

[215] Sara Schaefer Munoz, "Global Migrants Brave Panama's Vipers, Bats and Bandits to Reach U.S.," *Wall Street Journal*, May 29, 2015.

[216] U.S. Department of State, *Country Reports on Terrorism 2014.*

biometric screening at international airports, and "faced the challenge of working in areas with porous borders and difficult topography plagued by…illegally armed groups."[217]

It is natural that SIA smugglers would to take advantage of a key land bridge through an environment where government interference is so unlikely; by not intervening, Colombia itself avoids the costs associated with patrol, detention, and deportation of migrants who also have no intention of remaining in the country.

SIA travel along this route is further aided by the additional circumstance in Panama: its catch, rest and release policy. Once through Colombia, SIAs are funneled into the remote 40-mile Darien Gap region. The State Department report said Panama continued its struggle to "exert sovereignty in the underserved Darien region," through which an estimated 7,000 migrants traveled in 2013 alone (8,432 during 2014, and 3,800 during the first three months of 2015).[218] With no border patrolling, only upon the journey's completion did security forces detain them. Rather than incur the costs of long-term patrolling, detention, and deportation, Panama provided food, housing, and a release with temporary legal status, enabling refreshed migrants to continue northward to the United States.[219] Otto Reich, former U.S. Assistant Secretary of State for Western Hemisphere Affairs, told the *Wall Street Journal* that, despite knowing this human traffic may threaten U.S. national security, Panamanian officials "know they are coming to the U.S. and…will no longer be Panama's problem."[220]

In this somewhat representative sample, official indifference, lack of border patrol resources in Colombia, and Panama's catch-rest-release policies critically enabled SIA smuggling rather than deterred it. SIA smugglers would naturally want to incorporate such circumstances into their business models, and clearly have. But the same combination of enabling factors was common to other countries often transited by SIAs to the next critical country that practices catch, rest, and release—Mexico.

---

[217] U.S. Department of State, *Country Reports on Terrorism 2014: Panama.*

[218] Ibid.

[219] Ibid.

[220] Ibid.

SIAs making their way to Mexico by land must first cross through other Central American nations, all of which must eventually funnel through Guatemala—a land bridge with ocean on either side linking Central America to North America via Mexico (see Figure 11). Here, analysis found that corruption combines with government indifference and lack of capacity to enable, rather than deter, at a key choke point. Guatemala has been described as a super-highway of virtually unimpeded human smuggling to Mexico.[221] The human smuggling industry has become so politically and economically powerful, no doubt to ensure its continued revenue, that at times it has completely co-opted government control over border and customs police. Border control on Guatemala's south and north border is largely nonexistent.

Figure 11. Unregulated Inner Tube Traffic on the Mexico-Guatemala Border

Inner tube boat pilots navigate the heavily trafficked Rio Suchiate River, which forms part of the Guatemala-Mexico border. Guatemalan border guards and Mexican military personnel on both sides rarely question travelers or check cargo.

In 2007, Santos Cuc Morales, Guatemala's National Director of Migration, told a reporter that after 9/11 and more recently, because of the war in Iraq, American

[221] Bensman, "The Latin Connection."

intelligence officials and diplomats recognized Guatemala's role as a geographical bridge for U.S.-bound terrorist travelers.[222] U.S. officials asked Morales to assist in a crackdown "because of terrorism and the situation in Iraq." Morales said he could not help, because his 450 agents stationed along the nation's borders, at airports and at seaports were under the almost complete influence of smugglers. He said most of his own agents, patrolling land borders and the international airport, would not respond to his orders. He said that government bureaucrats who wielded influence over his agency did not want the smuggling deterred because of their own financial stakes in the business.[223] As his country's most senior immigration enforcement official, Morales said he wished he could help the Americans avert another terrorist attack, which he said "could happen because of the corruption here. It's the reality of things."[224]

Gustavo Barreno, a federal prosecutor in charge of enforcing Guatemala's human trafficking laws from 1997 through 2005, described working closely with American intelligence and law enforcement after 9/11 to disrupt SIA smuggling networks then operating openly in the country.[225] The joint effort, however, was shut down when a major operation unearthed a smuggling ring that moved Arab migrants through the country. After the investigation turned up links between the smuggling operation and senior Guatemalan politicians, the entire American program was abruptly canceled, and Barreno said he was ousted from government.[226] "The business is gigantic," he was quoted saying. "You have no idea. Everyone is involved—everyone. And for an Arab to come into Guatemala it's really easy—really easy."

A number of court prosecutions in the years since the interview with Morales and Barreno support their 2007 perceptions, recording many instances of bribed border guards and police. For instance, according to a 2010 indictment, the Brazil-based smuggler Fessahazion would have a Hispanic driver casually pay off border guards as

---

[222] Ibid.

[223] Ibid.

[224] Ibid.

[225] Ibid.

[226] Ibid.

they crossed through Guatemala en route to Mexico.[227] A 2014 *Washington Examiner* newspaper investigation of Guatemala human smuggling concluded, after interviewing present and past senior government officials, that "it is clear that the human smuggling business resembles, in some respects, legal enterprises like McDonalds and Mazda."[228]

Once through Guatemala, SIA smuggling networks become beneficiaries of formal Mexican government policy. Many SIAs are apprehended at Mexican airports in Tuxla, Tapachula, Mexico City, and Monterrey as well.[229] Many more are apprehended during land travels north. However they arrive, Mexico follows the same catch, rest, and release policy as Panama, providing the SIAs respite for a couple of weeks and then legal papers and release to finish the trek to the U.S. southwestern border. An ICE agent testifying in the 2010 asylum fraud case of the Somali smuggler Dhakane described Mexico's policy: "Most of them, all of the East Africans and many from the Middle East, they will surrender at Tapachula (in the state of Chiapas bordering Guatemala) the Mexicans will hold them for, you know, ten to fifteen days, and then they will give them an order of deportation, and they are given 30 days to leave the country at that point."[230]

At times, Mexico has allowed American law enforcement or intelligence officers access to some SIAs prior to their releases, but not all of them.[231] Boles, since he was Iraqi at the height of the war, described lengthy interviews by Americans while he was detained in Tapachula, and again after he was transported to a different facility in Mexico City. However, media reporting in 2007 quoted anonymous American law enforcement officials with Mexico experience who said the FBI had fewer than a dozen full-time agents assigned to Mexico City, making it impossible to interview every detained SIA—only some of those deemed a priority at any given time.[232] A shortage of appropriate interpreters and prevalence of fake or missing identity make it difficult to use terrorist

---

[227] United States v. Fessahazion, Indictment, Document 1.

[228] Richard Pollack, "Guatemala's Human Smuggling Network Is Big Business for Coyotes," *Washington Examiner*, August 21, 2014, http://www.washingtonexaminer.com.

[229] Todd Bensman, "Stuck in the Middle," *San Antonio Express-News*, May 22, 2007.

[230] United States v. Ibrahim and Boateng, Transcript from Sentencing Hearing.

[231] Ibid.

[232] Ibid.

watch list databases or other intelligence resources to discern an authentic asylum seeker from a terrorist in transit. “The bottom line is just because you don’t get a hit doesn’t mean he’s not a terrorist,” one federal agent with Mexico experience was quoted saying. “You still could be. Fake names are a big problem.”[233]

In another example of the unintended consequences of formal national policy, in 2008, Ecuador dropped all visa requirements for anyone in the world wishing to visit for 90 days, after which human smuggling operations moved to the country.[234] In 2012, the researcher Freier interviewed hundreds of migrants and senior government leaders about the consequences.[235] She concluded that, almost immediately, Chinese human smuggling networks began bringing thousands of Chinese immigrants into the country to stage trips to the U.S. border, as well as SIAs from South Asia, North Africa, and the Middle East.[236] Senior Ecuadorian leaders and policy makers told Freier that pressure by U.S. diplomats who were concerned about terrorist travel forced Ecuador to resurrect visa restrictions two years later, for 10 nationalities from Africa and Asia, including those who would be regarded as SIAs from Afghanistan, Bangladesh, Eritrea, Ethiopia, Kenya, and Pakistan.[237] But the quality of enforcement was questioned. Freier cited secret U.S. diplomatic cables published by Wikileaks showing that American diplomats continued the pressure even after the restrictions were returned, based on concerns that Ecuador was not enforcing them. By 2011, U.S. pressure forced mass arrests of Muslim immigrants in Ecuador, including Pakistanis interviewed by FBI agents.[238]

Outside of Latin America, corruption, official indifference, and formal policy are also enabling factors that draw SIA smugglers. Corruption, for example, enabled exits and entries before SIAs ever reached Latin America. The Pakistani–Ecuadorian smuggler Irfan Ul Haq had Pakistani immigration agents on his payroll who allowed his clients to

---

[233] Ibid.

[234] Luisa Feline Freier, *Open Doors (for Almost All): Visa Policies and Ethnic Selectivity in Ecuador*. (London: London School of Economics, Center for Comparative Immigration Studies, 2013).

[235] Ibid.

[236] Ibid.

[237] Ibid., 12.

[238] Ibid., 17–18.

exit without proper authorization and stamps. The Indian smuggler Thakkar bribed Indian customs officials to let his clients pass onto flights. The Iranian smuggler Assadi, likewise, had airport customs officials on his payroll for the same purpose as he flew clients in and out of Ecuador. Beyond nakedly corrupt practices, the material collected for this thesis raised questions of indifference, professionalism, and training. Iraqi war refugee Boles, for instance, noted that he was rarely questioned by airport, immigration or customs enforcement until American investigators in Mexico interviewed him. Ultimately, he too was released after several weeks with legal documents enabling him to continue north. He said a guard inside the Mexican detention center offered to arrange for a local smuggler to meet Boles and several other Iraqis outside the facility gates. The driver was waiting for them when they emerged and drove them to the Texas border.[239]

F. ROUTES: MAPPING STAGES AND LAUNCHES BEYOND THE WESTERN HEMISPHERE

As shown in prior sections, SIA smuggling tended to follow paths of least resistance, as established by local geopolitical conditions related to strength of border security institutions, government policy toward migrants, and corruptibility of public servants. Smugglers and their migrant clients reflected and discussed in the 19 court cases and other materials reflected only about half of the 35 countries of interest. Routes were chosen based on locations where passage was most eased and most cost efficient, and where there was least risk of law enforcement disruption and arrest. Countries were chosen, for instance, on the basis of travel visa availability, or the presence of reliably corrupted officials and bureaucrats.

Sometimes, the state of a country's diplomatic relations with the United States was used to advantage; antipathy toward counterterrorism collaboration enabled SIA smuggling to continue in Russia, Venezuela and Cuba. Some nations might not have prioritized border policing or airport inspections, such as South Africa. Still others enacted policies that attracted and abetted the smuggling, as did Ecuador.

[239] Todd Bensman, Breaching America: "I've Made it to America," *San Antonio Express-News*, May 24, 2007.

One or more of these enabling factors may partly explain why routes were chosen. Analysis revealed distinctly busier hubs along the routes from the Middle East, Africa, and Asia prior to landings in Latin America. These may suggest future leverage points for law enforcement and intelligence collection activities. For instance, the country of South Africa emerged an air travel hub linking North African and Asian countries of interest to South America. Within the Horn of Africa region, Nairobi, Kenya emerged as a significant convergence hub for flights toward the U.S.

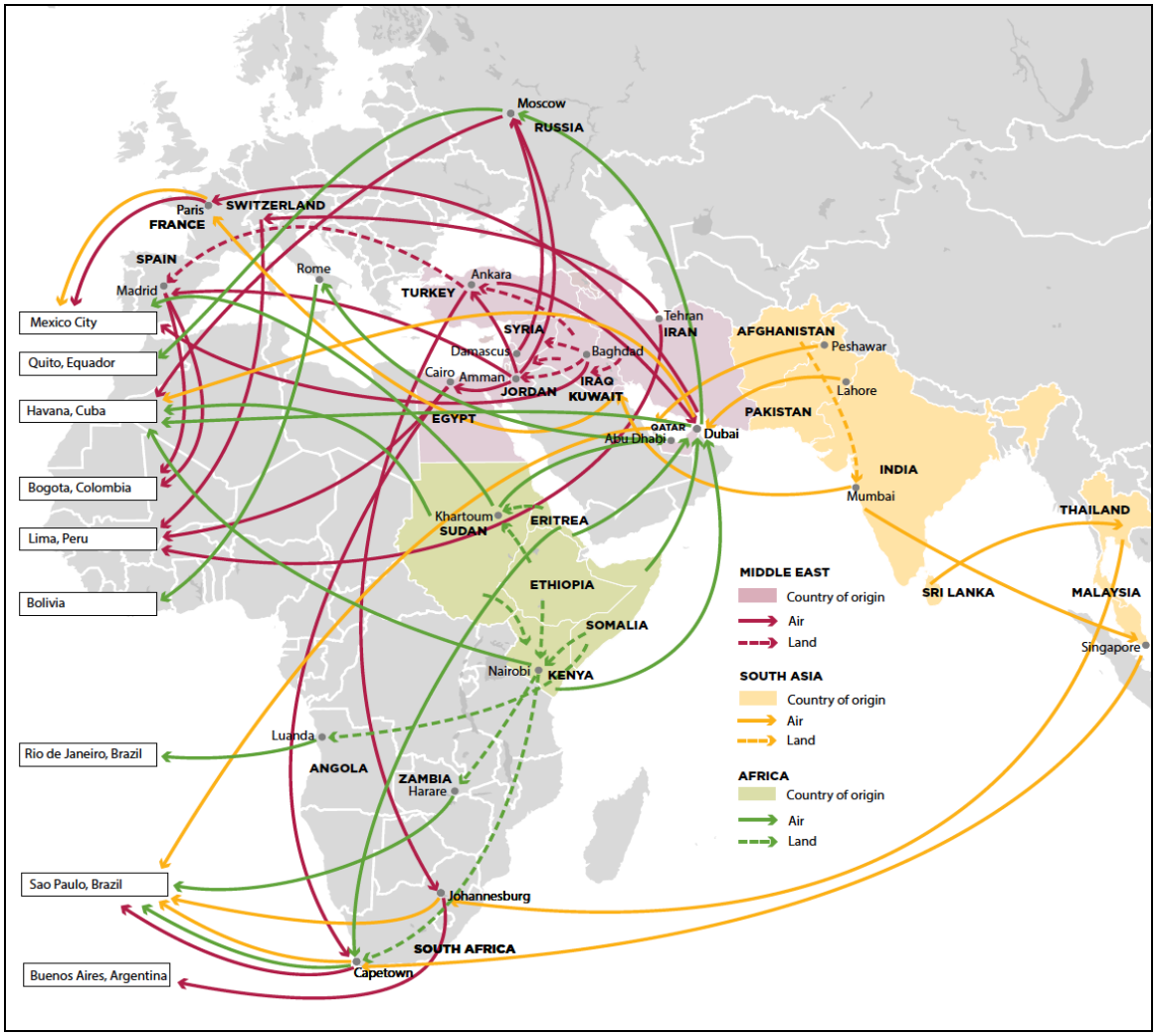
Migrants on the move from Middle Eastern countries of interest gravitated toward the Gulf States, particularly the United Arab Emirates, which served as major air hubs linking Middle Eastern countries of interest to Latin America. What enabling factors contributed to the convergence on South Africa, Nairobi and the United Arab Emirates, is not revealed in the data, but would seem to warrant additional investigation for law enforcement or intelligence collection activity.

Once migrants did arrive in Latin America, their travel patterns and methods became far less differentiated. But only common routes prior to arrival in the western hemisphere are described in the next sections.

(1) From the Middle East

Routes often ran from origin nations through Turkey and Greece to European countries including France, Spain, Italy, and Germany—sometimes through the Gulf States of United Arab Emirates and Qatar, and sometimes through Russia. Migrants originating from Middle Eastern countries most often used landed for initial staging in Ecuador, Peru, Colombia, and Mexico. See Figure 12 for route visualization.

Figure 12. Departures from Middle East, Africa, and South Asia, and Initial Landings in the Western Hemisphere

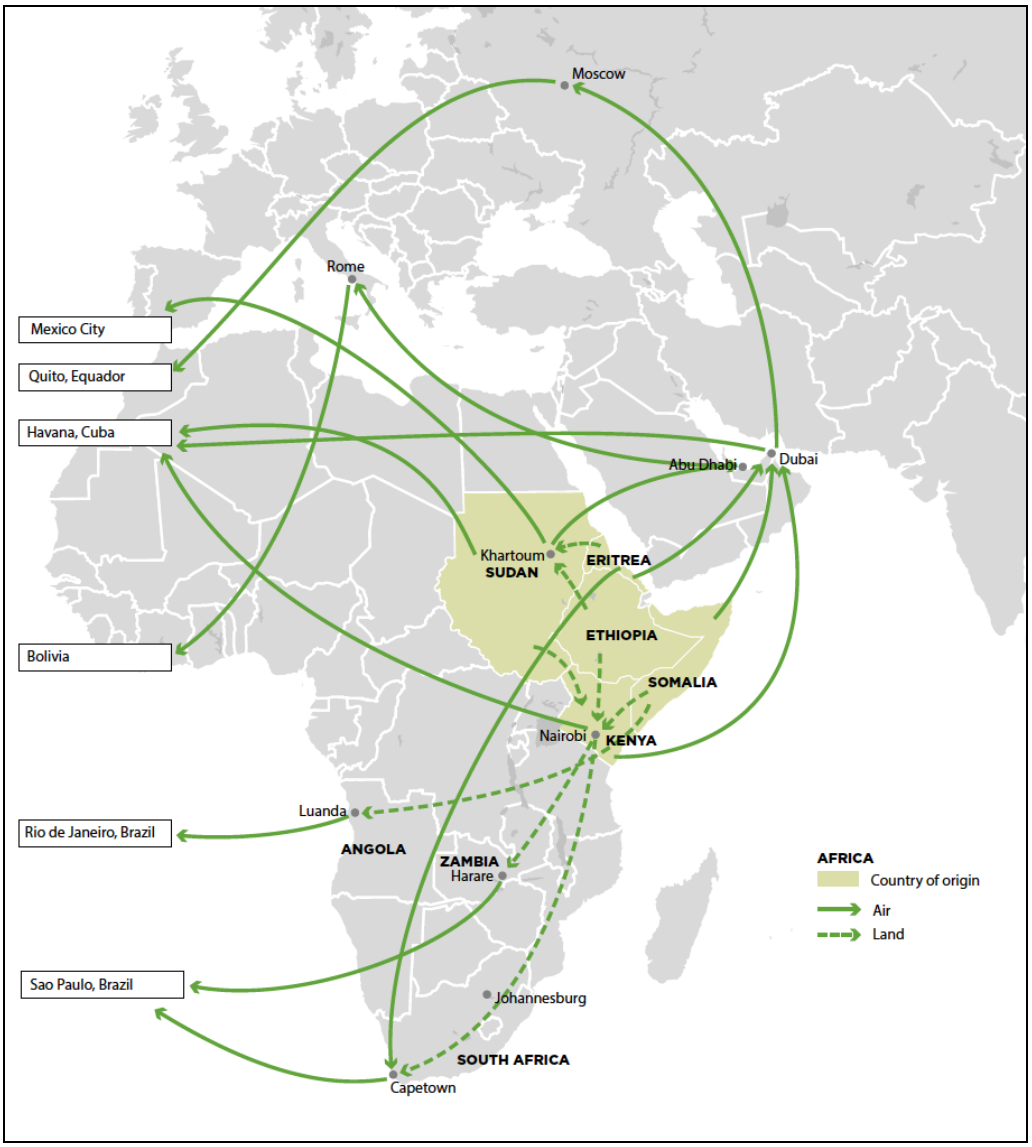


Routes derived primarily from 19 U.S. court prosecutions and some open-source reports show heavy reliance on air travel and transit hubs in Europe, the Gulf States, and South Africa, indicating customs inspection vulnerabilities. All travel flows generally westward toward Latin America.

(2) From North Africa

Routes often ran from Ethiopia, Kenya, and Sudan through the Gulf States and occasionally Europe, but mostly through other African countries such as South Africa, Kenya, and Sudan (see Figure 13). The most common landing zones in Latin America for Africans were Brazil, Ecuador, Bolivia, Cuba, and Mexico City.

Figure 13. Departure Routes from Africa to Latin America

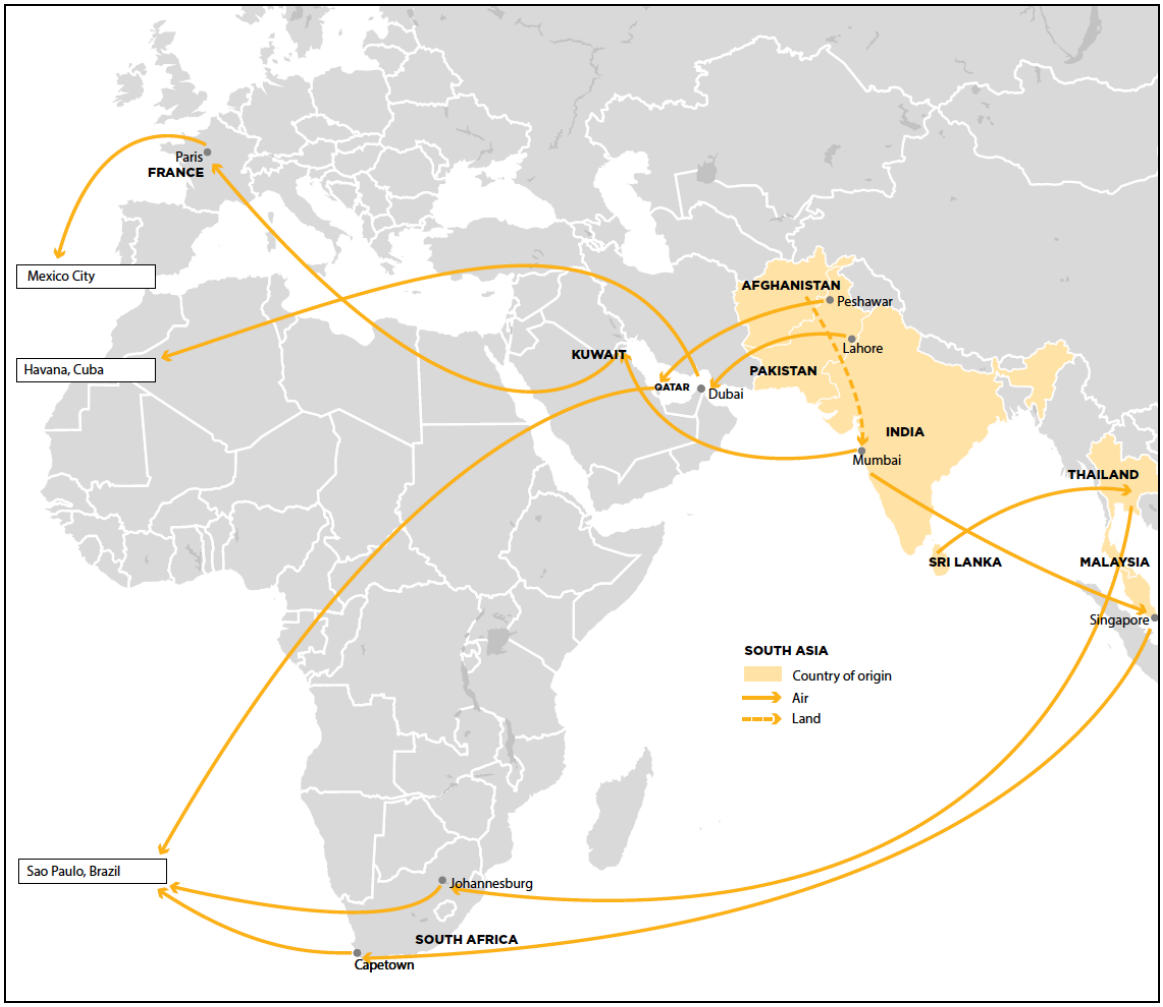


Routes derived from U.S. court prosecutions and open-source reports.

(3) From South Asia

Routes often ran through India, Singapore, and the Gulf states (see Figure 14). Again, South African international airports seemed to figure as a frequent transit points.

Figure 14. Departure Routes from South Asia to Latin America



Routes for travel from Pakistan, Afghanistan, and elsewhere in Asia tend to require among the highest fees because they entail crossing the greatest distances, making the most stops and border crossings, and the highest risk of law enforcement interceptions. The Gulf States and Europe figured often as air transit hubs in addition to South Africa.

G. ROUTES: LANDINGS AND NORTHWARD MARCHES IN LATIN AMERICA

Once SIAs reached the western hemisphere, some nations were frequently used for initial landing and for "staging," that is, allowing time to rest and prepare for further legs of the journey. Twelve of the 19 smuggling organizations used either Brazil (5) or Ecuador (7) for landing and staging SIAs. Other commonly used landing and staging countries included Cuba, Mexico, and Guatemala. The map in Figure 15 shows these travel routes.

Once migrants landed in such countries, they would be housed, sometimes for weeks at a time, while smugglers prepared for legs of the journey to come. For law enforcement decision-making, a distinction, therefore, can be made between key staging countries and "transit countries," based on whether migrants were stationary or in motion. Migrants tended to linger for days, weeks, or sometimes months in staging countries, awaiting coordination for the next travel phases in smuggler-controlled safe houses or hotels. Migrants in transit countries were contrastingly on the move, stopping only for sleep or rest. Some staging countries doubled as transit countries, most notably Mexico and Guatemala. The following countries (in alphabetical order) emerged most often as staging or transit countries.

1. Initial landing and staging countries

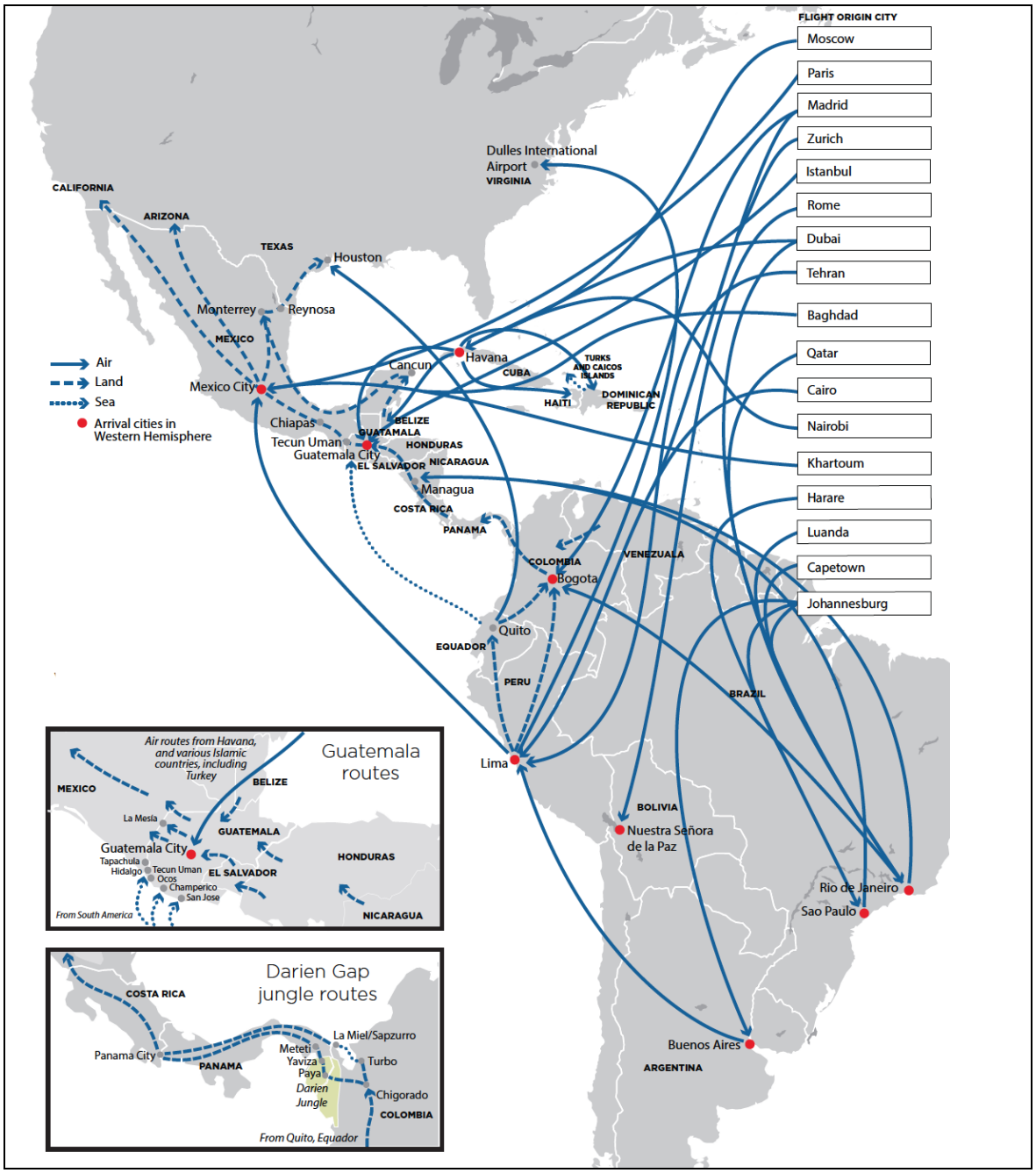
- Belize
- Bolivia
- Brazil
- Ecuador
- Guatemala
- Mexico
- Peru
- Venezuela.

2. Transit countries (can also be staging countries)

- Colombia
- Costa Rica
- Cuba
- El Salvador
- Guatemala
- Honduras
- Mexico
- Nicaragua
- Panama
- Peru
- Venezuela.

Guatemala and Panama figured prominently in almost all of the examined data about SIA smuggling because they act as funneling land bridges that must be crossed.

Figure 15. Travel Routes into the United States via Latin America



Routes derived from U.S. court prosecutions and open-source reports.

VI. CAT AND MOUSE: SMUGGLERS AND LAW ENFORCEMENT

> Despite the heroic efforts of our law enforcement colleagues, criminal organizations are constantly adapting their methods for trafficking across our borders. While there is not yet any indication that the criminal networks involved in human and drug trafficking are interested in supporting the efforts of terrorist groups, these networks could unwittingly, or even wittingly, facilitate the movement of terrorist operatives…toward our borders, potentially undetected and almost completely unrestricted. In addition to thousands of Central Americans fleeing poverty and violence, foreign nationals from countries like Somalia, Bangladesh, Lebanon, and Pakistan are using the region's human smuggling networks to enter the United States. While many are merely seeking economic opportunity or fleeing war, a small subset could potentially be seeking to do us harm.
>
> —Gen. John F. Kelly, U.S. Marine Corps Commander, U.S. Southern Command[240]

Homeland security leaders interested in matching better strategies to specific vulnerabilities and leverage points should understand that SIA smuggling networks are adaptive human social systems with many moving parts. Analysis of the court cases provided a rare—if limited—window on the interplay between pursuers and pursued in far away, often ungoverned geographies.

Seven leverage points have been suggested for law enforcement or intelligence collection activity: kingpins, foreign consulate offices, hostile nations, U.S. asylum fraud, expatriate communities, the catch-rest-and-release policies of several Latin America nations, and critical enabling factors in key transit nations. Analysis of these cases did not indicate that past law enforcement activity occurred with any of these leverage points in mind. But the efforts did produce prosecutions and disruptions.

---

[240] John F. Kelly, *Posture Statement of General John F. Kelly, United States Marine Corps Commander, United States Southern Command before the 114th Congress Senate Armed Services Committee* (Washington, DC: United States Southern Command, 2015), http://www.southcom.mil/newsroom/Documents/SOUTHCOM_POSTURE_STATEMENT_FINAL_2015.pdf.

The purpose of this chapter is to explore some of the interplay between SIA smugglers and law enforcement to inform decision makers who might be called upon to recalibrate or improve network disruption in line with a more systematic consideration of leverage points. First, common operational security methods of the smugglers are listed and discussed. This is followed by commonly used U.S. interdiction methods that were successfully used both by conventional American law enforcement and intelligence agencies stationed in foreign nations.

A. THE SMUGGLERS

Evidence presented during prosecutions indicated that SIA smuggling operations adapt more slowly to pursuit, disruption, and environmental changes than do other clandestine enterprises; SIA smugglers need to coordinate a higher complexity of components over greater distances. Still, as with any system, SIA smugglers figuratively deployed antennae sensitive to any information about environmental change in threat and opportunity pictures. Feedback loops sent such information to kingpin leaders who reacted when possible at strategic and tactical levels.

Some, but not all, of the smuggling networks studied in this thesis adeptly innovated in response to law enforcement moves or other opportunities. After 9/11, several of the major SIA smuggling networks swiftly adopted operational security measures to evade anticipated detection and capture. For instance, one smuggler more pointedly cloaked his migrant clients' ethnicities to avoid U.S. law enforcement profiling they presumed would follow the attacks. The smugglers studied for this thesis also incorporated contemporary technologies in line with current globalization trends to communicate and move money undercover; while bringing efficiency to operations, this also caused some to worry—rightfully, it turns out—about an increased vulnerability to law enforcement detection. The findings presented in this section illustrate the most common or noteworthy operational security methods SIA smugglers employed, effectively or not, from 2001 through 2015.

1. Antennae for Change and Adaptation

A signature indicator of growing operational security was how some smugglers reacted to the 9/11 attacks. SIA smugglers were acutely aware that American law enforcement began pursuing them more aggressively after 9/11 and, in turn, instituted operation changes and security measures that continue to the present. The Iranian-American smuggler Mehrzad Arbane, for example, went to extremes out of certainty that American law enforcement would pursue him with particular vehemence. Arbane, who for years prior to 9/11 moved Iranians, Syrians, Iraqis, and Jordanians into the United States, switched entirely to cocaine (rather than human) smuggling after the attacks because, as he told an associate, he feared he "may have smuggled two of the hijackers who flew the planes into the towers in New York on September 11, 2001."[241] That turned out not to be the case, court records show, but Arbane's associate was so alarmed that he became a U.S. government informant and helped investigators in 2002 arrest Arbane for his new cocaine smuggling enterprise and the earlier SIA smuggling.

In September 2001, the American-Jordanian smuggler Nancy Zaia traveled to Quito, Ecuador, where she demanded $2,000 more from two clients she had staged, as the cost of higher risk, saying "this was due to the tighter United States immigration controls in place after the 9/11 attacks."[242] Furthermore, in the fall of 2001, Zaia, who normally flew her clients directly to U.S. cities, hired local ground smugglers to guide Iraqi clients through the mountains of Colombia, where they were robbed at gunpoint, and thereafter stopped using air travel into the United States.

After 9/11, the Iranian smuggler Mohammed Hussein Assadi, whose operation smuggled Middle Eastern clients to Ecuador and then flew them to U.S. cities on photo-altered European visa waiver passports, began requiring his charges to alter their appearances in order to look less ethnic. For their flights, women were told to dye their

---

[241] United States v. Mehrzad Arbane, 11th Cir. Ct. (S.D. Fla., 2003), Case complaint; Scott Wheeler, "Drug Smuggler Claims He May Have Snuck 9/11 Hijackers into the U.S.," *CSN News*, May 24, 2004, http://www.crosswalk.com/1264391/.

[242] United States v. Zaia, Indictment.

hair blonde and wear contemporary European clothing; the men were instructed to shave their beards and discard any personal artifacts that might make them "appear Arab."[243]

When one of his East African clients expressed concern that a new American border fence would foil his crossing, the Mexico-based Ghana smuggler Mohammed Kamel Ibrahim demonstrated he had already shifted gears. Ibrahim replied to the worried migrant by email: "There is a lot of rumor here, but there is still a way to enter. Don't worry about that. The wall will start building next year. It is still ok from now to February next year."[244]

Court records also demonstrated that smugglers were aware of other changes, and were willing to adapt accordingly. In May 2005, a change in Ecuadorian government had led corrupt airport officials to charge substantially more to let Syrian smuggler Nizar Lorian's clients exit the country by air. Lorian ordered an associate to establish a new smuggling route from Lima, Peru and to quickly transfer there a large group of clients staged in Ecuador. Lima was chosen not only to avoid excessive payoffs in post-9/11 Ecuador, but because it was the only Peruvian city with direct flights to U.S. cities, comporting with Lorian's business model of flying clients directly to the United States.

2. Cloaking Identification

SIA smugglers understood their clients would most likely fall into the hands of American law enforcement, as asylum petitioners, and become potential informants. Therefore, most of the smugglers coached, exhorted, or financially threatened clients not to reveal details of their operations when apprehended at U.S. destinations or in transit. Smugglers used aliases extensively to cloak nationalities they believed would draw attention in the post-9/11 national security climate. The Egyptian smuggler Ashraf Abdallah told clients to wire money to him in the name of "Juan Manuel."[245] The Eritrean smuggler Fessahazion sought to obscure his African nationality by alternately

---

[243] United States v. Assadi, Indictment.

[244] U.S. Immigration and Customs Enforcement, "Ghanaian Pleads Guilty to Conspiracy and Alien Smuggling Charges," U.S. Department of Homeland Security, April 22, 2008, http://www.ice.gov/news/releases/ghanaian-pleads-guilty-conspiracy-and-alien-smuggling-charges.

[245] United States v. Abdallah, Indictment.

using the names "Sammy," "Alex," and "Alex Williams." Mehrzad Arbane went by "El Turco," "Achi Saba," or just "Tony."

Many of the smugglers admonished or threatened their clients into silence with American authorities. The smuggler Rakhi Gauchan, who used the alias "Niki," told "her clients not to provide detail to U.S. immigration officials about being smuggled to the United States or otherwise cooperate in human smuggling investigations. Gauchan also has said she believes she could be prosecuted and imprisoned for human smuggling if arrested by the United States."[246] Other smugglers demanded that, for the final U.S. crossing, clients eliminate phone numbers from cell phones, throw away notes, and destroy any fraudulent travel documents to eliminate clues. The Ghanan smuggler Boateng emailed a subordinate on September 4, 2006 stating, saying in part, "They should not carry any phone number from USA or Belize and Mexico. They are only vacation here...No mention of my name."[247]

Some also sought to forcefully leverage the silence of clients caught en route. The smuggler Jarad, who used a wide variety of aliases, instructed one migrant, who later testified against him at trial, that if he or other members were apprehended in Guatemala or Mexico, "they should not provide his name to the authorities as being involved in smuggling them, warning that if they did they would lose their money, and Jarad would not attempt to smuggle them to the United States." [248]The smuggler Assadi told clients that, after their flights arrived in the United States, they should destroy all of their fraudulent passports and documents while still in holding areas and "surrender to U.S. immigration without disclosing either their true place of origin or Assadi's role."[249]

3. Money Transfers Obfuscated

The SIA smugglers most often used Western Union offices throughout Latin America and the United States to receive and send money, but also sometimes the

[246] United States v. Gauchan, Indictment.

[247] United States v. Boateng, Factual Resume.

[248] United States v. Jarad, Indictment.

[249] "Iranian Convicted of Running Profitable Alien Smuggilng Operation in South America," Department of Justice, October 3, 2002, 3.

commercial mail services DHL and Federal Express. Some ordered wire transfers in smaller amounts, believing they would not attract the attention of regulators and investigators. The smuggler Lorian, worried about law enforcement pressure, told his underlings in late 2001 not to deposit more than $9,000 at a time "because after $9,000 there is always an investigation and so...deposit eight, or seven, five, or eight."[250]

Kingpin smugglers used false names or subordinates to send and receive money, again to mask nationalities they believed would raise national security flags. The smuggler Lorian once sent a $2,000 Western Union wire to a KWIK Check Mart in Houston, Texas under the name "David Philippe Paul Gouman," in hopes that such a name might not attract law enforcement attention.[251] Sometimes, smugglers used real names, if the sums to be transferred were small. Smuggler Samuel Abrahaly Fessahazion had one of his subordinates instruct "Alien T.W. to have $400 wired to Guatemala in the name of Samuel Abrahaley."[252]

4. Communications

SIA smugglers primarily used cell phones, and Internet-based communications such as email and Voice over Internet Protocol (VoIP) available via personal computers to communicate with clients and one another. Mobile phone and personal computer technologies enabled real-time decision-making for operations strung across time zones and continents. The Boateng organization's two leaders, for instance, operated extensively via email. Their plea agreements explained that they used email "to communicate with each other and other co-conspirators, to discuss the smuggling operation, to advertise alien-smuggling services, to negotiate smuggling fees for aliens who were to be smuggled into the United States, to coordinate the delivery of fraudulently obtained travel documents, to communicate regarding the payment of smuggling fees, to coordinate and implement smuggling arrangements and events, and to resolve issues that arose in the smuggling operation." They and a number of other

[250] Unitd States v. Lorian et al., Criminal Complaint.

[251] Ibid.

[252] United States v. Fessahazion, Indictment.

smugglers used email attachment functions to send scanned images of fraudulent documents with corrections. Pakistani smuggler Irfan Ul-Haq also used VoIP and email extensively, as did the smuggler Habtom Merhay.

The court records do not indicate the extent to which most smugglers feared government communications surveillance. In the months after 9/11, however, one smuggler, Lorian, did express heightened fear of surveillance, perhaps rightfully so. He told an undercover agent, who had penetrated his organization posing as a fellow smuggler, to "limit the number of telephone calls made about smuggling arrangements because the FBI would scrutinize telephone calls from overseas and would initiate an investigation that could cause problems."

B. U.S. LAW ENFORCEMENT AND INTELLIGENCE OPERATIONS

The United States has deployed both conventional law enforcement methods and unconventional intelligence collection methods to disrupt SIA smuggling abroad. Department of Justice (DOJ) press releases regarding many of the SIA cases, which credit various involved agencies, show that investigative efforts were complex affairs involving ICE HSI, but also multiple other U.S. law enforcement and foreign government agencies where bilateral agreements allowed American investigators to be located.

Not mentioned in the DOJ press releases is American intelligence agencies' border security involvement since 9/11; these agencies have often worked in conjunction with American law enforcement in Latin America and elsewhere. ICE Office of Investigations Deputy Director Kumar Kibble, discussing his agency's efforts to disrupt SIA smuggling, testified before a congressional committee in 2009 that "partners in the intelligence community target the most dangerous international human smuggling organizations for investigation and prosecution, especially those that pose a threat to our national security."[253] Much of the work is classified, Kibble explained, "but the effort has

[253] Kumar C. Kibble, *Where Are We Now?* (Statement of Deputy Director, Office of Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security, Regarding a Hearing on the Southwest Border; Before the U.S. House of Representatives Committee on Oversight and Government Reform, 2009).

led to a number of significant prosecutions since 2001."[254] Elsewhere, some media reporting quotes U.S. and Guatemalan law enforcement sources saying SIA interdiction operations in Central America at times involved the use of American satellites, Coast Guard cutters, the U.S. Navy, and the intelligence services of various South American governments, which would work in coordination with U.S. agencies.[255] During the investigation of Jordanian-American smuggler Nancy Zaia, a U.S. Coast Guard cutter in the Pacific intercepted a ship carrying two Jordanian clients from Ecuador whose passage to the U.S. border she had arranged.[256]

Because less is publicly known about American intelligence's role in SIA smuggling interdiction, this thesis focuses on the conventional law enforcement efforts used by ICE, the FBI, and other agencies stationed in some of the 48 nations with whom the United States had, as of 2015, established bilateral law enforcement operating agreements. The thematic findings presented in this section do not reflect all methods used, and do not suggest that any continue to be used; rather, the methods are some of the more common ones that are knowable from court materials and other public platforms.

1. The Smuggled as an Investigative Resource

Perhaps the most prevalent and important source of criminal information about SIA smuggling came from the people who were smuggled. Despite exhortations by their smugglers that their clients must not inform on them, SIAs apprehended at the U.S. border and elsewhere consistently provided investigative leads, information, and court testimony in all 19 of the prosecutions examined for this project. Public media reporting shows that the FBI, ICE, and Border Patrol have interviewed SIAs after they were apprehended on the U.S. side of the border to assess risk, but also to gather intelligence information about their smugglers.[257] Although staffing was often insufficient to ensure every SIA was interviewed, testimony by SIAs willing to cooperate figured prominently

[254] Ibid.

[255] Todd Bensman, "The Latin Connection."

[256] United States v. Zaia, Factual Resume.

[257] Ibid.

in the court records. For example, the investigation and 2014 prosecution of Habtom Merhay relied on 14 cooperating witnesses, all of whom Merhay smuggled. Their bits of independent testimony helped investigators piece together Merhay's operation. In an Assadi case government-sentencing memorandum, prosecutors credited Assadi's former clients for candidly describing the smuggler's role in their transportation, adding, "but for these cooperating witnesses, who represent but a fraction of the aliens smuggled by Assadi, the government would have been unable to bring Assadi to justice."[258]

In addition to testimony at court, some of the smuggled have been used as active participants in investigations against their smugglers. In 2009, for instance, "ALIEN P" agreed to let law enforcement agents in Houston consensually monitor and record a conversation with a major co-conspirator in the Gerard smuggling network, enabling investigators in Florida to arrest the suspect two days later.[259]

SIA interviews did not only take place on U.S. soil. According to media reports published in 2007, Mexico, for a time, allowed American interrogators to question SIA detainees in "threat assessment" interviews.[260] Mexico City-stationed U.S. law enforcement and intelligence agents, accompanied by Mexican counterparts, usually conducted these interviews.[261] Also, an agreement at the time allowed Mexican intelligence officers from the National Security Investigation Center to conduct as many interviews as they could when the Americans were unavailable, providing fingerprints and names that could be checked against terror watch lists and fingerprint databases.[262]

2. Undercover Agent Insertions

As discussed previously, the Ecuador-based Pakistani smuggler Irfan Ul-Haq was arrested and convicted on terrorism charges after ICE deployed three local Ecuadorian undercover informants to help him smuggle a blacklisted terrorist from Pakistan to the

---

[258] United States v Mohammed Hussein Assadi, Government's Trial Memorandum

[259] United States v. Dhanraj Samuel, 5th Cir. Ct. (S.D. Tex., 2009), Criminal Complaint Affidavit.

[260] Ibid.; Bensman, "Stuck in the Middle."

[261] Ibid.

[262] Ibid.

United States. This was one of eight cases in which U.S. law enforcement inserted sworn undercover agents or paid confidential informants into SIA smuggling operations. The method collected evidence that may not have otherwise been available, given the natural camouflage and mobility smugglers enjoy in distant jurisdictions. Once undercover agents were accepted into a network, however, they were able to discover highly granular operational details. They often recorded phone calls, stored email and other communications, videotaped direct observations, identified otherwise hidden co-conspirators, and developed new leads. Undercover agent operations have also enabled search warrants for smuggler cell phones, email, computers, homes, and businesses.

One case in point involved a long-term, deep undercover insertion of ICE undercover agents into the organization of Ecuador-based Nizar Kero Lorian, which was responsible for moving hundreds of Middle Easterners to the U.S. border. Over time, the agents collected audio and videotaped documentation that revealed the organization's inner workings, to include manner and means of smuggling, hierarchy, identification of other individuals who worked for Lorian, money transfer habits, and fees.[263] Through a recorded telephone conversation with an undercover operative, U.S. investigators learned that the Arizona-based Iranian smuggler Malhamdary was selling Mexican visas for $12,000 each to fly Iranians into Mexico for transport over the Arizona border.[264] American agents were able to manipulate smugglers to travel to U.S. territory so they could be arrested and prosecuted. The was also the case with an undercover agent inserted into the Nepalese smuggler Gauchan's organization, running a Mexico City-based arm of a larger network. Posing as a prospective business partner, the El Paso, Texas-based agent in 2012 lured Gauchan to enter the United States for a business meeting; she was arrested instead, avoiding a time-consuming extradition process.

3. Inserting Paid Informants into U.S. Detention Facilities

In two separate known cases, paid FBI informants of Somali descent were inserted into Texas detention facilities, where they collected intelligence about Somali

[263] United States v. Lorian, Criminal Complaint.

[264] Ruggiero, "Feds Claim Sting."

SIAs, leading to three prosecutions involving purportedly terror-associated individuals. Only in this way was the FBI able to discover that Ahmad Dhahane had been working as a smuggler in Brazil, had lied on his asylum application, and was claiming inside the detention facility to have been a ranking operative for AIAI.[265] The same method was used to convict Somali SIA Omar Fidse and his wife Deka Abdalla Sheikh in 2013 for lying during a federal terrorism investigation and on asylum fraud charges.[266]

4. Arrested Smugglers Providing Information

In several of the cases, SIA smugglers who had been arrested provided important leads against other smugglers. A number of them cooperated with investigators in exchange for lesser sentences or other benefits. Smugglers were inclined to turn on one another once in custody, as in the case of against the Ghanan smuggler Boateng. In a memorandum arguing for a lesser sentence, Ghanan smuggler Boateng's defense attorney argued, "He has provided the government with as much information as he possessed and held nothing back, including his own use of false travel documents. Likely, his willingness to testify played a role in the decision of his co-defendant (clearly a more culpable participant) to plead guilty."[267] During the 2002 District of Columbia prosecution of the Ecuador-based Iranian smuggler Assadi, prosecutors had the smuggler Ecuador-based Jordanain smuggler Maher Jarad testify against his former associate.[268]

5. Confidential Informants

The court case files suggest that a number of the 19 investigations began as a result of tips from law enforcement contacts, sometimes in foreign countries. For example, a confidential informant working with ICE's Attaché office in Mexico City provided some of the earliest information that Gauchan's principal occupation was

---

[265] United States v. Dhakane, Case Sentencing Hearing Transcript.

[266] U.S. Attorney's Office Western District of Texas, "Somalian Sentenced to Federal Prison for Making False Statements during a Terrorism Investigation," FBI, July 25, 2013, https://www.fbi.gov/sanantonio/press-releases/2013/somalian-sentenced-to-federal-prison-for-making-false-statements-during-a-terrorism-investigation.

[267] United States v. Boateng, Defendant's Memorandum in Aid of Sentencing.

[268] Ibid.; "Iranian Convicted of Running Profitable Alien Smuggling Operation in South America," Department of Justice, October 3, 2002.

smuggling people into the United States. It was a confidential informant who, concerned that the smuggler Arbane was worried that he had smuggled in two of the 9/11 hijackers, went to law enforcement authorities and became involved in ensuing investigation. Also, when the U.S.-based Iranian smuggler Malhamdary went to Mexico to shop for a smuggler, he was introduced to a confidential informant for the United States named "Gabriel," who broke open the investigation.[269]

[269] United States v. Malhamdary, Case Sentencing Memorandum.

VII. STRATEGY RECOMMENDATIONS

> Yes, it is true that a lot of aid is given to corrupt governments, but that is by design, not by accident or out of ignorance. Rather, aid is given to thieving governments exactly because they will sell out their people for their own political security. Donors will give them that security in exchange for policies that make donors more secure too by improving the welfare of their own constituents.
>
> —*The Dictator's Handbook*[270]

> Points of intervention are specific places in a system where a targeted action can effectively interrupt the functioning of a system and open the way to change. By understanding these different points, organizers can develop a strategy that identifies the best places to intervene in order to have the greatest impact.
>
> —Patrick Reinsborough, *Beautiful Trouble, A Toolbox for Revolution*[271]

UCLA management professor Richard Rumelt writes in *The Perils of Bad Strategy* that good strategy focuses energy and resources on the judicious selection of one or very few important objectives, rather than on "a scrambled mess of things to accomplish, a dogs dinner of goals."[272] A good strategist, he argues, selects only a few objectives that are reachable with existing resources and competencies.[273] With this principle in mind, this thesis proposes a number of strategies. These are designed to confront the seven leverage points of SIA smuggling networks described earlier. As well, the recommended strategies also consider numerous other revelations taken from the court case analysis, such as other important operational commonalities, SIA smugglers' operational security habits and the successful law enforcement efforts to date. The idea is

---

[270] Bruce Bueno De Mesquita, and Alastair Smith, *The Dictator's Handbook, Why Bad Behavior Is Almost Always Good Politics*, 1st ed. (New York: PublicAffairs Books, 2011), 167.

[271] Patrick Reinsboroguh and Doyle Canning, "Theory: Points of Intervention," Beautiful Trouble, accessed July 25, 2015, http://beautifultrouble.org/theory/points-of-intervention/.

[272] Richard Rumelt, "The Perils of Bad Strategy," *McKinsey Quarterly*. June 2011, 4, http://www.mckinsey.com/insights/strategy/the_perils_of_bad_strategy.

[273] Ibid.

to disrupt SIA smuggling networks at minimal investment and to deter them from re-forming so that they deliver fewer higher-risk migrants to the United States.

A caveat about intervening in leverage points is appropriate at this juncture. This thesis assumes that long-distance human smuggling networks are complex systems with leverage points, where a small shift in one variable can produce significant, outsized results. If American homeland security policy makers hope to one day more aggressively target these networks, they should understand that doing so may be more art than science. The systems analysis researcher and author Donella Meadows warns that history is rife with instances in which effort was applied to identified system leverage points in the wrong ways at the wrong times, worsening problems.[274] It bears noting that social systems, like biological systems, can morph into new, unpredictable structures and behaviors at any moment in response to threats.[275] The higher the leverage point, the more the system will resist change. Meadows continues:

> Leverage points are not intuitive. Or if they are, we intuitively use them backward, systematically worsening whatever problems we are trying to solve. The systems analysts I know have come up with no quick or easy formulas for finding leverage points. When we study a system, we usually learn where leverage points are. But a new system we've never encountered? Well, our counterintuitions aren't that well developed. Give us a few months or years and we'll figure it out. And we know from bitter experience that, because of counterintuitiveness, when we do discover the system's leverage points, hardly anybody will believe us.

With this caveat in mind, recommended disruption and prevention strategies are presented in two distinct tiers. The first involves a robust targeted diplomacy in conjunction with sharp, dedicated increases in foreign security aid to achieve specific initiatives in six Latin American countries. The second involves enhancing existing intelligence collection and law enforcement operations to target identified points of interest in Latin America, source countries of interest, and in the United States.

---

[274] Donella Meadows, *Leverage Points: Places to Intervene in a System* (Hartland, VT: The Sustainability Institute, 1999), 2.

[275] Ibid.

A. FOREIGN SECURITY ASSISTANCE, DEVELOPMENT AID, AND ASSERTIVE DIPLOMACY

Any strategy to achieve U.S. security objectives in foreign countries is contingent on a key component: friendly governments' willingness to cooperate and follow through. DOJ press releases announcing SIA smuggler arrests and major case developments often credited Latin American police forces and governments in playing significant or supporting roles, suggesting some degree of successful bilateral collaborations. In a Brookings Institute analysis investigating how the United States should apply Israel's extensive counterterrorism experience, Dicter and Byman write that, after 9/11, America realized that effective local partners were vital to successful counterterrorism efforts because, "not only does the United States lack both the capacity and the desire to be omnipresent, but local partners bring capabilities, knowledge and a degree of political acceptability to their counterterrorism efforts that a foreign country cannot possess." [276] But achieving such cooperation is never a fait accompli. Governments in Latin America are expected to resist expanding the programs recommended in this chapter; they will also resist shifting their own limited local resources to priorities that primarily serve American interests. To help secure the expanded commitments necessary, the United States should establish or substantially increase security assistance, humanitarian development aid, and training program packages to the six key transit countries, Ecuador, Brazil, Colombia, Panama, Guatemala, and Mexico. New program-specific U.S. infusions of money, equipment, technical assistance, and training would be tied to local government progress that will:

(1) End catch, rest, and release policies in Panama and Mexico and fund the establishment of deportation processes and capabilities such as repatriation flights that would remove SIAs to their home countries.

Funding would enable expansion of the legal system capacity and bed space needed to support deportation processes. This strategy would reverse catch-rest-release

[276] Avi Dicter and Daniel L. Byman, *Israel's Lessons for Fighting Terrorists and their Implications for the United States* (Washington, DC: The Brookings Institution, 2006).

policies in Mexico and Panama, freeing apprehended migrants to continue on to the U.S. border, which appreciative SIA smugglers have incorporated into their business models. Such a strategy is not without precedence. The Schengen Area countries in Europe and Australia, for instance, facing significantly increased migrant flows, recently provided supporting security aid and infrastructure that allows transit countries to detain and deport apprehended aliens from the Middle East and North Africa before they can "land" and claim asylum. It so happens that citizens of countries of interest listed by the U.S. also are singled out in Europe to undergo special security screening and visa limitations to visit or transit the Schengen zone by air or other means.[277] The result is that thousands from high-risk countries are mixed with migrants from low-risk countries attempting illegal entry, in the same manner that Mexican migrants can obscure SIA migrants.[278]

European governments have achieved repatriation agreements with key source *and* transit countries such as Turkey, Greece and Morocco, and have been funding the return of locally apprehended migrants to home countries. Other projects are designed enhance border controls through the training of immigration personnel and transfers of technical and financial assistance.[279] For instance, the EU has provided millions of euros in foreign aid to Libya for detention camps, equipment, and training, prompting local governments to combat illegal migration at the point of departure.[280] Although such aid's success has yielded mixed reviews, EU Commissioner Dimitris Avramopoulos recently called such cooperation "a cornerstone of the Commission's strategy to fight smuggling," noting that Turkish authorities had moved quickly to adapt counter-migration strategies with EU assistance and diplomacy.[281]

---

[277] "Countries who Requires Visa," Schengen Visitor Visa, accessed August 4, 2015, http://www.schengenvisitorvisa.com/#!countries-requires-visa/c21a2.

[278] "Questions and Answers: Smuggling of Migrants to the EU and Europe," European Commission, January 13, 2015, http://europa.eu/rapid/press-release_MEMO-15-3261_en.htm.

[279] Slobodan Djajić and Michael S. Michael, "Controlling Illegal Immigration: On the Scope for Cooperatiion with a Transit Country," European Trade Study Group, July 2013, http://www.etsg.org/ETSG2013/Papers/244.pdf.

[280] Zara Rabinovich,"Pushing Out Boundaries: Humanitarian Screening and Offshore Processing," Migration Policy Institute, October 16, 2014, http://www.migrationpolicy.org/article/pushing-out-boundaries-humanitarian-screening-country-and-offshore-processing.

[281] Dimitris Avramopoulos, "Recent Human Smuggling Incidents in the Mediterranean" (speech, European Parliament Plenary Debate in Strasbourg, January 13, 2015), http://europa.eu/rapid/press-release_SPEECH-15-3262_en.htm.

A similar U.S. strategy with Mexico and Panama contemplates the logic that SIA migrants, because their financial investment can reach tens of thousands of dollars, should be even more sensitive to high-consequence deterrence strategies such as long-term detention and deportation they would find in Panama or Mexico.

(2) Fund the creation or expansion of corruption-vetted mobile customs and border patrol units substantially dedicated to seeking out SIAs in currently unpatrolled bottleneck regions.

This interdiction and deterrence strategy contemplates implementation in all six identified countries to address internal leverage-point circumstances. The prioritized countries, however, should be Colombia, Panama, and Guatemala—the main land bridges linking South America to Mexico. These new customs and border patrol units, carefully shielded from corruption, quickly shift deployment in remote regions, as guided by intelligence, when smugglers' routes shift to avoid intervention. Vetted units would be shielded from such influences and operate independently of the main corps.

Again, the concept of U.S.-backed vetted military and police units is not without precedent in Latin America. The concept for U.S.-backed military and police units, vetted for corruption, has much precedent in Colombia and in Mexico, where they are deployed in joint counter-drug trafficking operations. Since 2000, American security assistance investments of many kinds have amounted to well over $12 billion, almost all of it going to help Colombia (Plan Colombia, et. al.) and Mexico (The Merida Initiative et. al.) to suppress drug trafficking, rather than national security-related human smuggling.[282] In return, those governments have allowed significant numbers of U.S. counter-drug personnel to work in their territories, help created law enforcement units ostensibly vetted of corruption to target drugs and anti-government cartels and militias.

SIAs apprehended by the new such units would be subject to detention and deportation to home countries. In Guatemala, human smuggling organizations have corruptly co-opted northern and southern border control, creating what has been

[282] "Time to Listen: Trends in U.S. Security Assistance to Latin America," Law.org, http://www.lawg.org/storage/documents/Time_to_ListenTrends_in_U.S._Security_Assistance_to_Latin_America_and_the_Caribbean.pdf

described as a human smuggling superhighway—an obvious leverage point for law enforcement intervention. Under-resourced federal police in Colombia largely ignore migratory routes through its borders with Central America. Guatemala has struggled with systemic corruption in its border guard and customs cadres, due to the size and influence of smuggling industries in the country. The vetted unit program also should similarly expand to any of the other five identified transit countries as resources and bilateral relations allow.

(3) Increase the number of American counter-smuggling investigators from conventional law enforcement agencies, with special attention on supplementing the ranks of ICE agents, who are deployed to attaché offices in the key transit countries to target kingpin smugglers.

Policy leaders should ensure that investigators substantially prioritize SIA smugglers and terrorist travelers and are not diverted to drug trafficking cases, as past GAO reporting has noted. This strategy targets kingpin smugglers as organizational leverage points, knowing that their specialized capabilities and skills are not easily or quickly replaced and that they can be turned against one another. In addition to an infusion of more agents, some of those already deployed should be repositioned from counter-drug to counter-human smuggling investigations. Although the FBI, CIA, CBP and other primarily domestic law enforcement agencies are represented throughout the American attaché office network, policy leaders should consider significantly adding to the ranks of the 240 ICE investigators reportedly deployed abroad as of 2014 since they are specifically empowered and trained to enforce the nation's immigration laws.

U.S. investigators stationed in attaché offices would use conventional law enforcement case development techniques to track kingpins and all potential smuggling hierarchies in order to identify potential successors, and maintain investigative pressure on them all. This system would also benefit from signals intelligence and other regional intelligence agency reporting. This whole-of-investigation effort should expand on the understanding of SIA smuggling structures initially provided in this thesis—their architecture of inner and outer circles and their fundamental leadership characteristics.

Understanding network players' roles—preferably, in real time—can inform targeting and source development that leads to elusive kingpins. For example, investigators who need to assess the relative loyalty of a captured organization operative would need to understand whether he belongs to the inner circle, outer circle, or is an indigenous partner whose loyalties would be considered fragile.

(4) Establish an Immigration Liaison Officer (ILO) program—a corps of intelligence collectors to be stationed inside both U.S. embassies and local country law enforcement offices in origin and transit countries in Latin America but also in the key air transit hubs of South Africa, and the Gulf States of Bahrain, Qatar, and the United Arab Emirates.

This corps would bolster and complement the tactical work being done by counter-smuggling investigators and ensure validity of intelligence provided by local police. Its focus would be to collect information from local sources on modus operandi and routes used by SIA smugglers, analyze it for actionable intelligence, and ensure it is shared with U.S. investigators and the intelligence community. One key target area, for instance, might be Cape Town and Johannesburg, South Africa, which emerged from the data as important air hubs for North Africans and South Asians transiting to Latin America. ILOs also should be stationed in Gulf State air hubs such as Dubai, which also figured often in SIA smuggling, as well as elsewhere in Africa, Asia, and perhaps in Cuba once diplomatic relations with the United States have stabilized enough for such collaboration.

This concept would be modeled after a 2004 program the Schengen countries began expanding in 2014, as the Arab Spring and the Syrian civil war sent greater numbers of migrants toward European borders. The European ILO program's numbers of immigration officers were increased, and their officers required to develop their own human intelligence sources; this was intended to enable them to build networks of confidential informants feeding them raw, real-time information about local human smuggling operators, local criminal groups aiding the smuggling, and means of

transportation.[283] They also collect field intelligence through other methods, such as interviewing transiting or apprehended migrants in those host countries, which has been shown in this analysis to be a primary source of high-value intelligence on smuggling.[284]

(5) With the involvement of American partners, local governments of Ecuador, Brazil, and Guatemala should be pressured to establish their own robust informant recruitment programs targeting expatriate communities, hotel complexes, and cultural locations around which SIA smuggling is facilitated.

Expatriate immigrant communities in Latin American, as well as local hotels in proximity to them, are known for staging. As such, they are rich, untapped potential sources of intelligence on local smuggling, as well as on traveling and indigenous violent extremists, corrupt border guards, and airport officials.

(6) Invest in retraining and increasing staff in the U.S. Citizen and Immigration Service (USCIS) asylum officer corps so that its agents can be better equipped to extract intelligence information and leads from SIA asylum seekers who reach the U.S. border, as well as to help detect asylum fraud.

As discussed, SIA migrants often count on attaining American asylum as the primary means by which to secure their substantial, often once-in-a-lifetime smuggling investment; success portends eventual U.S. citizenship while failure means deportation and loss of the investment. For the smugglers, word of their clients' asylum success travels fast to home countries, inspiring more to hire the smuggler and ensure business continuity. These high stakes for both smuggler and migrant client have prompted both to resort to deliberate asylum fraud schemes, while government reporting indicates that

---

283 "Immigration Liaison Officers' Network," EUR-lex, July 26, 2011, http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l14511_en.htm.

284 Nomikos, John M. "Combating Illegal Immigration, Organized Crime and Terrorism in Greece and Italy," *International Journal of Intelligence and CounterIntelligence* 26, no. 2(2013): 288–303. http://www.security-round-table.eu/esrt/Articles/John-Nomikos.php.

USCIS officers and other components of the system too often have proven ineffective at detecting such fraud. The separate asylum fraud prosecutions of Dhakane and Fidse, who had deep ties to Islamic terrorist groups in Somali, underscore the potential threat of leaving the asylum gate unchecked. This recommended initiative acknowledges that USCIS officers have been unable to detect large-scale asylum fraud and that significant investment should be made to improve that capability. But it also acknowledges that the USCIS asylum officer cadre has unique access to a category of asylum seekers, which this thesis has shown to be a highly rich source of intelligence information about smuggling facilitators, routes and modus operandi. USCIS officers should retrained, their numbers substantially increased, and additionally equipped so that they may be required to capture intelligence information that otherwise may never be collected. Intelligence information should then be regimentally shared with foreign-based ICE investigators and liaison officers.

(7) Use state and local law enforcement agencies associated with fusion centers in U.S. states that border Mexico to interview apprehended special interest aliens who are detained in their jurisdictions, and provide the resulting reports to federal partners for analysis and use in international investigations.

The degree to which federal law enforcement officers interview apprehended SIAs is not addressed in this thesis. But since 9/11, local policing authorities have been designated as partners in many counterterrorism efforts, often through fusion centers where agencies are purposefully housed together to enhance better sharing and collaboration. Such law enforcement officers are often vetted, trained, and have federal security clearances. To the extent that federal authorities, to include border patrol, ICE, and the FBI agents, are unable to interview all apprehended SIAs while they are in detention, local law enforcement resources can and should be exploited to assist in broadening this coverage on grounds that SIA have so often proven to be among the most prolific sources of actionable intelligence about their smugglers.

B. DIPLOMATIC INFLUENCE CAMPAIGN

Smartly applying security assistance and development aid should provide some incentive for local governments to cooperate in bilateral law enforcement initiatives. But a muscular diplomatic initiative should accompany this aid to further leverage cooperation at other, potentially more sensitive SIA smuggling leverage points. Muscular diplomacy in conjunction with aid should be used to leverage the internal *political* will to cooperate with strategic needs that largely defy unilateral U.S. action.

(1) Ensure that the governments of Mexico, Guatemala, Belize, Ecuador (and Cuba, once full diplomatic relations are restored) more robustly monitor, vet, audit, and investigate for corrupt practices within foreign service staffs stationed in consulate offices and embassies in countries of interest.

This strategy would confront an important leverage point: corrupt or inadequate visa and passport issuance from consulates, which enable ease of SIA travel. The strategy would rely on integrity reinforced by covert intelligence collection operations described in the "Intelligence Operations" section to come. This effort should be included as part of a broader strategy; there is some indication that American pressure has worked in the past to ensure integrity inside the diplomatic missions of other nations. As mentioned, it was reportedly under American pressure that a Mexican honorary consul based in Jordan was fired in 2004 for illegally selling visas, and that his replacement underwent extensive background checks. Also, Cuba reportedly fired two of its embassy employees in Kenya after American authorities brought to their attention that they were selling visas to the American smuggler Joseph Anthony Tracy, who then resold them to U.S.-bound Somalis. Other empirical evidence points to a Central and South American desire to have American aid, and to not lose it once gained, making leaders vulnerable to U.S. diplomatic pressure. A case in point was Ecuador after 2011. Researcher Luisa Freier reported that aggressive U.S. diplomacy and threats to withdraw millions in aid had forced senior government leaders to backtrack on a controversial policy that would allow visa-free entry into the country to all newcomers.[285] The visa-free policy immediately

[285] Freier, *Open doors (for Almost All)*, 17–18.

sparked a rush of human smuggling activity from countries of interest, causing alarm in American national security circles, Freier wrote. Ecuadorian President Rafael Correa told Freier that the U.S., concerned about a spike in SIA migration from Ecuador to the American southwestern border, leveraged its financial support to successfully "coerce" wholesale changes to Ecuador's immigration policies.

(2) Establish an expectation that local governments, to the extent their capacities allow, turn their intelligence collection activity toward terrorist travelers and SIA smuggling kingpins, as well as Islamic extremists and criminals residing in ethno-national expatriate enclaves.

Local intelligence services should be asked to provide information about employees and diplomats in foreign consulates. American diplomacy should communication that local intelligence services must share more quality information about these subjects with American intelligence services than they have previously.

(3) Alert American investigators about all SIA detentions and grant access to any detainee for intelligence collection purposes.

This strategy speaks to support pursuit of kingpin smugglers, potential successors, and SIA facilitators that American law enforcement can investigate and arrest. Cultivating apprehended migrants as sources of information about kingpins would exploit the finding in this thesis that SIA migrants have been among the most prolific information sources and have frequently been willing to work with investigators and prosecutors.

(4) Facilitate and expedite American requests to extradite kingpin smugglers to the United States for jailing and prosecution, rather than allowing them to be processed through local legal systems.

Numerous studies, assessments and news reports about criminal judicial systems in Latin America over the years have found significant dysfunction related to post-transition from dictatorships to democracies. A 2006 Center for Strategic and

International Studies report, for instance, found poorly functioning systems in Argentina, Colombia, Guatemala, Peru, and Venezuela that lacked transparency and independence from political leaderships.[286] In 2014, trust in the criminal-justice systems of Latin America remained very low; majorities of the population in almost every country in the region still had little or no faith in it.[287] A number of the 19 court prosecutions involved joint bilateral criminal investigations but not local prosecutions; the DOJ has successfully sought extraditions instead. If the volume of such investigations increases due to higher focus on SIA smuggling, then DOJ should continue to seek extraditions to the United States to produce additional intelligence on others but also to serve as a deterrent.

C. U.S. INTELLIGENCE COLLECTION OPERATIONS: NETWORK WARFARE

Generally, American border security strategy already has recognized the need for a "transnational" approach to counterterrorism efforts in its border security policies. In the years after 9/11, American border security extended beyond the physical frontier and deep into other nations and continents, and involved deep integration with intelligence services.[288] But opportunities remain for more dedicated, expanded, and improved intelligence collection, should such a need be determined before or after an emergency.

Sims suggests American intelligence services, whenever possible, need to team with counterparts in foreign nations, by diplomatic coercion if necessary because the ability of the U.S. government to protect its homeland depends critically on "the ability of foreign governments to stop terrorists traveling or resting in theirs."[289] Sims continues, however, by noting that intelligence agencies should act unilaterally when cooperation is unavailing, with "covert…paramilitary operations…and cross-border operations in pursuit of terrorist or criminal adversaries." Sims calls this strategy "network warfare," in which small teams of intelligence operatives move quickly to collect information

---

[286] Peter DeShazo and Juan Enrique Vargas, "Judicial Reform in Latin America: An Assessment," *Policy Papers on the Americas*, vol. XVII, study 2 (September 2006), http://csis.org/files/media/csis/pubs/0609_latin_judicial_reform.pdf.

[287] "Crime in Latin America: A Broken System," *Economist*, July 12, 2014, www.economist.com.

[288] Rollins, "Ten Years after the Terrorist Attacks of 9/11;" and Best, *Securing America's Borders*.

[289] Sims, "Understanding Friends and Enemies."

enabling preemptive diplomacy, coercion and decisive strikes. In short, she argues that the American intelligence corps should behave as "a transnational network itself, flushing transnational adversaries from their sleeper status by stimulating them to act and thus reveal themselves."[290]

American intelligence agencies should focus in this way on SIA smuggling both at home and abroad. Collection operations are the most appropriate method to target some of the seven identified intervention points, to include opportunities in diplomatically estranged countries that will not cooperate. Such methods also should be used to access communications and money transfer methods. Other strategies related to intelligence collection that should be considered include:

1. Deploying CIA officers to diplomatically estranged SIA transit countries, or repurposing those already stationed to develop human source networks capable of reporting about SIA smuggling and terrorist travelers. This strategy speaks to an intervention chokepoint where smugglers take advantage of absent U.S. law enforcement inside diplomatically hostile or uncooperative states. SIA travel often has depended on such relations to enjoy relatively free operational reign in Russia, Cuba, Venezuela, Ecuador, and Bolivia.

2. Deploying CIA and Defense Intelligence Agency officers to develop human source networks and exploit all available technologies, in order to provide information about potentially corrupt foreign consulate offices in countries of interest that provide visas and passports. These efforts should focus particularly on the consulate offices in Mexico, Guatemala, Cuba, Bolivia, and Venezuela, and in in the Middle East, India, Russia, and Singapore. Intelligence officers should develop human sources in ethno-national enclaves in Latin America that help facilitate SIA smuggling. Although unilateral in nature, the strategy would reinforce and

[290] Ibid., 27.

complement the diplomatic pressure campaign on these governments to self-police.

VIII. CONCLUSION

Nicholas Winton, the British subject credited with saving 669 Jewish children from the Holocaust, did so by forging their travel documents and transporting them out of Nazi-occupied Czechoslovakia over nine months in 1939.[291] Winton had been forced to resort to theft, bribery, blackmail, and the forging their exit visas to mask the origin of the children because foreign governments, including the United States, had refused to provide timely asylum or legal entry to the children.[292] Winton was never prosecuted for human smuggling or asylum fraud; rather, in 2002, Queen Elizabeth knighted him for his deeds, and he has since been lionized as a humanitarian hero in films and books. As mentioned, Christopher Rudolph argued that security from terrorist travelers requires border enforcement policies that increase the visibility of mobile asylum seekers so that malevolent migrants can be identified and separated from the benevolent.[293] The events surrounding the 1939 smuggling of the 669 children should serve as a reminder to current American homeland security leaders that any initiative to bring greater visibility to ultra-distance human smuggling–to catch or deter terrorist traveler migrants among their clientele—should be balanced by a conscious discernment of motives, in humanitarian consideration of non-terrorists in authentic need of sanctuary, as were Winton's 669 children. Taking this care would be in line with other core U.S. values, many explicitly embodied in asylum law requiring sanctuary for those persecuted on social, political, or religious grounds.

The Nicholas Winton caveat seems appropriate for a thesis with a primary objective of providing knowledge to assist U.S. law enforcement and intelligence agencies to "defend forward" against the organized smuggling of Special Interest Aliens

---

[291291] Robert D. McFadden, "Nicholas Winton, Rescuer of 669 Children From Holocaust, Dies at 106," *The New York Times*, July 1, 2015, http://www.nytimes.com/2015/07/02/world/europe/nicholas-winton-is-dead-at-106-saved-children-from-the-holocaust.html.

[292] Lydia Warren, "The astonishing story of how a humble London stockbroker saved 669 children–most of them Jews –from Czechoslovakia on the eve of World War II," The Daily Mail, http://www.dailymail.co.uk/news/article-2615101/The-astonishing-story-humble-London-stockbroker-saved-669-children-Jews-Czechoslovakia-eve-World-War-II.html.

293 Rudolph, *National Security and Immigration*, 2.

from 35 mostly Islamic countries—the only kind of migrant regarded in law and policy as terrorism-related national security threats to the United States. SIA smuggling networks qualify as the "dark networks" described by counterinsurgency scholar Sean Everton[294] and which thrive in spaces that Naim characterizes as "geopolitical black holes."[295] This thesis sought to shine light on them and provide the beginnings of a common baseline comprehension about them. It identified the likeliest organizational leverage points where directed U.S. intervention resources and energy might cause maximum disruption. It did so, to an extent, and recommended intervention strategies tailored to exploit the leverage points, with the caveat that these can shift out of sight and re-form elsewhere. Despite their ability to defy American disruption efforts since 9/11, and their rare ability among human smuggling organizations to move paying clients vast distances, these organizational "ultra-marathoners" are surprisingly absent in academic literature on human migration. They go unrecognized in studies about the illicit global economy boom, too. Yet even if their unique, globe-spanning capabilities escape attention, their status as targeted national security threats at the least make them worth knowing. This thesis aspired to raise awareness that they exist and are worth studying.

Some of the general findings in this thesis were unsurprising, though usefully confirmed. For instance, quantitative analysis of 19 U.S. prosecutions demonstrated that SIA smuggling tended to follow geopolitical paths of least resistance, as do most dark networks. Like water running downhill, smugglers avoided obstacles and sought out weaknesses in routing their travel through various countries. The research, however, led to some unexpected discoveries in darker crevices. For instance, SIA smuggling networks have found crucial sustenance in the visas obtained from obscure diplomatic outposts that Mexico, Guatemala, Belize, Bolivia, and Cuba maintain in the Middle East, Africa, and Asia. Smugglers especially sought visas from countries estranged from the United States, which wields little influence on those host countries to address the objectionable activity.

Also unanticipated was the extent to which food, shelter, and medical attention from governments in Panama and Mexico had become integral to smuggling

[294] Sean Everton, *Disrupting Dark Networks* (Cambridge: Cambridge University Press, 2012), xxv.

[295] Naim, *Illicit*.

enterprises—policies that can be ended and replaced with something deterrence-oriented. The practice of catching, reinvigorating, and releasing SIAs—with legal papers—to continue to the American southwestern border welcomed rather than deterred smugglers.

Another discovery was the reliance of SIAs and their smugglers on merely the promise of accessing the American asylum system. Making a U.S. asylum claim upon reaching the border was so important to smuggling recruitment, success and preservation as a viable business, that premeditated asylum fraud figured too often as part of fee packages. A number of terrorism-associated SIAs were caught defrauding a system that government reports say is rife with exploitable vulnerabilities. But asylum system integrity and vetting too can be improved to separate the malevolent from the benevolent. Improvements can start with awareness among policy leaders about American asylum's criticality to SIA smuggling and that political will is necessary to increase investments in asylum system personnel, fraud detection training, and intelligence collection.

Lastly, this thesis was able to trace the contours of the rarely seen conflict between SIA smugglers and law enforcement in distant lands. Rendering this conflict more visible as it has actually played out can powerfully inform future strategic choices, perhaps in unanticipated ways. The data revealed smuggler evasion and operational security methods, and some American law enforcement tactics that obviously worked, albeit not necessarily from an overarching strategic plan based on strength of knowledge. Such a strategic understanding of this dynamic cat and mouse game, when viewed along with network architecture, key behavioral traits of smugglers and likely leverage points, should provide a starting place for American leaders who want to build better strategies.

This thesis also left much unsaid—future researchers should build upon the geopolitical and systems theory ideas presented in this framework in the context of ultra-distance human smuggling networks. For example, this thesis indicates a lower resilience for disrupted SIA smuggling. But ultimately, the collected data was insufficient to determine the extent to and speed at which arrested SIA smuggling kingpins are replaced, and their disrupted operations restored. Knowing the time required for successor kingpins and their organizations to reconstitute, and how, can inform the pace and intensity of any

enforcement activity, such as which individuals to target next and what kind of intelligence to collect.

Furthermore, the data was insufficient to establish when market demand for SIA smuggling services reaches the threshold necessary to support new enterprises and sustain older ones. There was some indication in the data that smugglers rushed in to exploit the consequences of specific geopolitical events, such as when the American war in Iraq was producing refugees or when Ecuador eliminated its entry visa requirements. The reasonable assumption here is that, with study of this issue, U.S. strategists may predict the rise of new SIA smuggling enterprises—and confront their formation—if they can know how geopolitical events, such as famine or eruptions of political chaos, create or influence smuggling markets.

The court cases studied for this thesis also provided too little insight about parochial, indigenous Latin American smuggling networks that partner with SIA smugglers. The court records frequently referenced the use of such local networks, but rarely provided details about them (such as whether they were connected to notorious regional drug-smuggling cartels, their attitudes toward moving Muslim SIAs, how SIA smugglers might have bridged cultural differences with them). Focused research on the indigenous smugglers who partner with SIA smugglers could empirically address a nagging—and often politically consequential—publicly stated concern: that drug cartels have worked in concert with terrorist organizations to move operatives over the U.S. border. Research also could produce useful knowledge of other links, nodes and cultural differences about these indigenous partners that could be manipulated for law enforcement purposes.

One other limitation of this thesis worth noting is its dearth of detail about the roles that American law enforcement and the intelligence services play in SIA detection. The consequence of this knowledge gap is that any critique accompanied by calls for strategy reform can range from irrelevant to highly applicable, depending on whether programs and activities of U.S. agencies exist or don’t exist, or if they do whether they work. Little of this information is publicly knowable. The strategy recommendations in this thesis are offered with this void in mind.

As a parting thought, this thesis is predicated on the notion that American security leaders would find it useful to inform new strategies that might be required as *a reaction to* an SIA migrant-related terror attack, or peremptorily. However, the many instances that surfaced serendipitously during research—in which SIA migrants were connected to terrorist activities, or their smugglers thought they were terrorists—argues for preemptory rather than reactive planning and action. Some psychology of crisis decision-making literature shows that leaders throughout history have implemented policy reactively and that this was less than ideal for the public welfare.[296] No known terrorist plot connected to an illegal SIA border crossing has been been publicly identified since 9/11,[297] and an assessment of the terror threat from SIAs was beyond the scope of this thesis.

However, the research effort uncovered a surprising number of terrorism reference points associated with SIAs and their smugglers. Among these were: the Somali SIA Omar Fidse's substantial reported involvement with al-Shabaab; the Somali smuggler Ahmad Dhakani's personal associations with AIAI senior leadership, as a guerilla fighter, and his confession that he had knowingly smuggled into the United States numerous extremists; the American smuggling facilitator Anthony Joseph Tracy's acknowledgement that he was in communication with al-Shabaab leaders and also helped Somali extremists enter the United States; the Lebanese smuggler Salim Boughader Mucharrafille's operation that purportedly moved Hezbollah and Hamas agents over the Mexico-California border; the illegal entry over the Arizona border of two purported Bangladeshi members of a designated terrorist organization; and the Pakistani smuggler Ul-Haq's willingness to transport into the United States individuals he believed were blacklisted Pakistani terrorists. An internal Texas Department of Public Safety report, obtained and published by The Houston Chronicle, listed additional references in which, for instance, a Liberation Tigers of Tamil Eelam member was caught at the California-Mexico border in 2012, a Somali national caught in 2011 at the California border who

---

[296] Dominic Johnson and Simon Levin, "The Tragedy of Cognition: Psychological Biases and Environmental Inaction," *Society and Science* 97, no. 11 (2009), http://dominicdpjohnson.com/publications/pdf/2009JohnsonLevinTheTragedyOfCognition.pdf.

[297] Rosenblum, *Border Security*, 26.

was on multiple U.S. terrorism watch lists, and another Somali apprehended in Texas who claimed he was trained to be a suicide bomber. [298]

Together with any that reside behind a classified firewall, these publicly findable instances of SIA-connected terrorism associations justify a conversation about whether preemptive investments in a more robust SIA interdiction strategy—albeit one imbued with humane discernment for migrants legitimately in need of sanctuary—is more prudent than to react after an emergency.

[298] Dane Schiller, "MS13 is constant threat in Texas, department says," *Houston Chronicle*, report appended, 30–31, http://www.scribd.com/doc/256933420/Border-Surge-Report.

SUPPLEMENTAL. COURT CASE FILES

Five pre-2004 court cases analyzed for this research were not entirely available on PACER: United States v. Ashraf Ahmed Abdallah, United States v. Mehrzad Arbane, United States v. Mohammad Assadi, United States v. Mehar Jarad, and United States v. Nancy Zaia. Court documents related to these cases were acquired directly from U.S. Attorney's offices in 2007, during related research.

For a copy of these case files, contact the Dudley Knox Library at the Naval Postgraduate School in Monterey, California.

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF REFERENCES

Aas, Katja Franko. "Getting Ahead of the Game." In *Global Surveillance and Policing*, edited by Zureik, Elia and Mark B. Salter, 194–214. Portland, OR: Willem, 2005.

Aguilar, David. "Arrests of Aliens from Special Interest Countries." DHS Memorandum by U.S. Customs and Border Protection. November 1, 2004. http://trac.syr.edu/immigration/library/P1.pdfhttp://trac.syr.edu/immigration/library/P1.pdf.

Alden, Edward. The Closing of the American Border: Terrorism, Immigration and Security Since 9/11, 1st ed. New York: Harper-Collins, 2008.

Andreas, Peter. *Border Games: Policing the U.S.-Mexico Divide*. Ithaca, NY: Cornell University Press, 2012, Kindle Edition.

Avramopoulos, Dimitris. "Recent Human Smuggling Incidents in the Mediterranean." Speech. European Parliament Plenary Debate in Strasbourg. January 13, 2015. http://europa.eu/rapid/press-release_SPEECH-15-3262_en.htm.

Bensman, Todd. "Have Terrorists Crossed? Border Security Critics Assert No Terrorist Has Ever Illegally Jumped U.S. Borders; They Would Be Wrong." The Investigative Project on Terrorism. March 28, 2008. http://www.investigativeproject.org/625/have-terrorists-crossed#.

———. "Travelers from Muslim Countries Still Jumping U.S. Borders." PJ Media. February 20, 2009.

Best, Richard A. Jr. *Securing America's Borders: The Role of the Intelligence Community* (CRS Report No. 7–5700). Washington, DC: Congressional Research Service, 2010.

Bounds, Ryan. "Information Memorandum for the President, Immigration Reform Legacy." Memorandum to President, date omitted from 2009 document.

Bouteillet-Paquet, Daphné. *Smuggling of Migrants: A Global Review and Annotated Bibliography of Recent Publications*. New York: United Nations, 2011.

Bush, George W. *Decision Points*. New York: Crown Publishing Group, 2011.

Carroll, Joseph. "American Public Opinion About Immigration." Gallup. July 25 2005. http://www.gallup.com/poll/14785/immigration.aspx.

Coleman, Matthew. "Immigrant II Reality: Geopolitical and Legal Borders in the U.S. 1882 to Present." *Geopolitics* 17, no. 2 (2012): 402–422.

Cragun, Ryan and Crayun, Deborah. *Introduction to Sociology*, Wikibooks, 2006.

Cresswell, Tim. *On the Move: Mobility in the Modern Western World*. New York: Taylor & Francis, 2006.

"Crime in Latin America: A Broken System." *Economist*. July 12, 2014, www.economist.com.

De Mesquita, Bruce Bueno and Alastair Smith. *The Dictator's Handbook, Why Bad Behavior Is Almost Always Good Politics*. 1st ed. New York: Public Affairs Books, 2011.

DeShazo, Peter and Juan Enrique Vargas. "Judicial Reform in Latin America: An Assessment." *Policy Papers on the Americas*, vol. XVII, study 2 (September 2006). http://csis.org/files/media/csis/pubs/0609_latin_judicial_reform.pdf.

Diaz, Tom and Barbara Newman. *Lightning out of Lebanon: Hezbollah Terrorists on American Soil*. New York: Random House, 2006.

Dicter, Avi and Daniel L. Byman. *Israel's Lessons for Fighting Terrorists and their Implications for the United States.* Washington, DC: The Brookings Institution, 2006.

Dietz, Rebekah K. "Illicit Networks: Targeting the Nexus between Terrorists, Proliferators and Narcotraffickers." Master's thesis, Naval Postgraduate School, 2010.

Djajić, Slobodan and Michael S. Michael. "Controlling Illegal Immigration: On the Scope for Cooperatiion with a Transit Country." European Trade Study Group. July 2013. http://www.etsg.org/ETSG2013/Papers/244.pdf

Dodds, Klaus. *Geopolitics: A Very Short Introduction*. Oxford: Oxford University Press, 2007, Kindle Edition.

Eldridge, Thomas, Walter Hempel Ginsburg, Jancie L. Kephart, and Kelly Moore. *9/11 and Terrorist Travel*. Washington, DC: National Commission on Terrorist Attacks upon the United States, 2004.

EUR-lex. "Immigration Liaison Officers' Network." July 26, 2011. http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l14511_en.htm.

European Commission. "Questions and Answers: Smuggling of Migrants to the EU and Europe." January 13, 2015. http://europa.eu/rapid/press-release_MEMO-15-3261_en.htm.

Everton, Sean. *Disrupting Dark Networks*. Cambridge: Cambridge University Press, 2012.

Freier, Luisa Feline. *Open Doors (for Almost All): Visa Policies and Ethnic Selectivity in Ecuador*. London: London School of Economics, Center for Comparative Immigration Studies, 2013.

Government Accountability Office. *Border Patrol: Key Elements of New Strategic Plan Not Yet in Place to Inform Security Status and Resource Needs* (GAO-13-25). Washington, DC: Government Accountability Office, 2012.

———. *U.S. Asylum System: Agencies Have Taken Actions to Help Ensure Quality in the Asylum Adjudication Process, but Challenges Remain* (GAO-08-935). Washington, DC: Government Accountability Office, 2008. http://www.gao.gov/assets/290/281583.html

Gilman, Nils, Jesse Goldhammer, and Steve Weber. *Deviant Globalization: Black Market Economy in the 21st Century*. New York: Continuum, 2011.

Haddell, Chad C. (2010). People Crossing Borders: An Analysis of Border Protection Policies (CRS Report No. R41237). Washington, DC: Congressional Research Service, 2010.

Human Smuggling and Trafficking Center. *Establishment of the Human Smuggling and Trafficking Center: A Report to Congress*. Washington, DC: U.S. Department of Homeland Security, 2005. http://www.state.gov/documents/organization/ 49600.pdf.

Hyndman, Jennifer and Allison Mountz. "Refuge or Refusal, the Geography of Exclusion." In *Violent Geographies: Fear, Terror, and Political Violence*. Edited by Derek Gregory and Allen Pred, 77–83. New York: Taylor and Francis, 2007.

Ingram, Alan and Klaus Dodds. *Spaces of Security and Insecurity: Geographies of the War on Terror.* Burlington, VT: Ashgate, 2009.

Johnson, Dominic and Simon Levin. "The Tragedy of Cognition: Psychological Biases and Environmental Inaction." *Society and Science* 97, no. 11 (2009). http://dominicdpjohnson.com/publications/pdf/2009JohnsonLevinTheTragedyOf Cognition.pdf.

Johnson, Neil. *Simply Complexity: A Clear Guide to Complexity Theory*. 4th ed. Oxford: Oneworld Publications, 2011

Kadushin, Charles. *Understanding Social Networks: Theories, Concepts and Findings*. 1st ed. Vol. 1. New York: Oxford University Press, 2011.

Kephart, Janice. "'The Toughest Transparency Rules in the History of Government'? Saga of a FOIA Request." Center for Immigration Studies. October 26, 2011. http://cis.org/kephart/saga-of-a-foia-request.

Meadows, Donella. *Leverage Points: Places to Intervene in a System*. Hartland, VT: The Sustainability Institute, 1999.

———. "Thinking in Systems: A Primer." Edited by Diana Wright. White River Junction, VT: Chelsea Green Publishing, 2008.

Muller, Benjamin J. *Security, Risk and the Biometric State: Governing Borders and Bodies*. New York: Taylor & Francis, 2010.

Naim, Moises. *Illicit: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy*. New York: Random House, 2005, Kindle Edition.

Nomikos, John M. "Combating Illegal Immigration, Organized Crime and Terrorism in Greece and Italy." *International Journal of Intelligence and CounterIntelligence* 26, no. 2 (2013): 288–303. http://www.security-round-table.eu/esrt/Articles/John-Nomikos.php.

Nuñez-Neto, Blas, Alison Siskin, and Stephen Viña. *Border Security: Apprehensions of "Other than Mexican" Aliens* (CRS Report No. RL33097). Washington, DC: Congressional Research Service, 2005. http://trac.syr.edu/immigration/library/P1.pdf.

Payne, John T. *Geopolitics, Globalization and the Age of Terrorism*. Tomball, TX: Raleigh Tavern Philosophical Society, 2004.

QSR International. "About QSR." Accessed July 23, 2015. http://www.qsrinternational.com/about-qsr.aspx.

Rabinovich, Zara. "Pushing Out Boundaries: Humanitarian Screening and Offshore Processing." Migration Policy Institute. October 16, 2014. http://www.migrationpolicy.org/article/pushing-out-boundaries-humanitarian-screening-country-and-offshore-processing.

Reinsboroguh, Patrick and Doyle Canning. "Theory: Points of Intervention." Beautiful Trouble. Accessed July 25, 2015. http://beautifultrouble.org/theory/points-of-intervention/.

Roberts, Nancy and Sean F. Everton. "Strategies for Combating Dark Networks." *Journal of Social Structure* 12, no. 2 (2011).

Rollins, John. "Ten Years after the Terrorist Attacks of 9/11: The Need for a Transnational Approach to Address Risks to Global Security Interests." *Homeland Security Affairs* 7, no. 2 (September 2011).

Rosenblum, Marc R. *Border Security: Immigration Enforcement between Ports of Entry* (CRS Report No. R42138). Washington, DC: Congressional Research Service, 2012.

Rosenblum, Marc R., Jermoe P. Bjelopera, and Kristin M. Finklea. *Border Security: Understanding Threats at U.S. Borders* (CRS Report No. R42969). Washington, DC: Congressional Research Service, 2013.

Rudolph, Christopher P. *National Security and Immigration: Policy Development in the United States and Western Europe Since 1945*. Stanford, CA: Stanford University Press, 2006.

Rumelt, Richard. "The Perils of Bad Strategy." *McKinsey Quarterly*. June 2011. http://www.mckinsey.com/insights/strategy/the_perils_of_bad_strategy.

Saad, Lydia. "Americans More Pro-Immigration Than in the Past." Gallup. July 11, 2013. http://www.gallup.com/poll/163457/americans-pro-immigration-past.aspx.

Schengen Visitor Visa. "Countries who Requires Visa." Accessed August 4, 2015. http://www.schengenvisitorvisa.com/#!countries-requires-visa/c21a2.

Sims, Jennifer E. "Understanding Friends and Enemies: The Context for American Intelligence Reform." In *Transforming U.S. Intelligence*. Edited by Jennifer E. Sims and Burton Gerber, 14–31. Washington, DC: Georgetown University Press, 2005.

Stana, Richard M. *Alien Smuggling DHS could Better Address Alien Smuggling along the Southwest Border by Leveraging Investigative Resources and Measuring Program Performance* (GAO-10-919T). Washington, DC: Government Accountability Office, 2010. http://www.gao.gov/new.items/d10919t.pdf.

Staring, Richard. "Facilitating the Arrival of Illegal Immigrants in the Netherlands: Irregular Chain Migration Versus Smuggling Chains." *Journal of International Migration & Integration* 5, no. 3 (Summer, 2004): 273–294.

University of Twente. "Network Theory and Analysis: How Relationships Influence Behavior." Accessed July 23, 2015. http://www.utwente.nl/cw/theorieenoverzicht/theory%20clusters/communication%20processes/network%20theory%20and%20analysis_also_within_organizations-1/

U.S. Attorney's Office Western District of Texas. "Somalian Sentenced to Federal Prison for Making False Statements during a Terrorism Investigation." FBI. July 25, 2013. https://www.fbi.gov/sanantonio/press-releases/2013/somalian-sentenced-to-federal-prison-for-making-false-statements-during-a-terrorism-investigation.

U.S. Border Patrol. “Enacted Border Patrol Program Budget by Fiscal Year: 1990–2014.” Accessed July 22, 2015, http://www.cbp.gov/sites/default/files/documents/BP%20Budget%20History%201990-2014_0.pdf.

U.S. Customs and Border Protection. *National Border Patrol Strategy*. Washington, DC: U.S. Department of Homeland Security, 2005. http://webcache.googleusercontent.com/search?q=cache:H7DCp8lFkOAJ:www.au.af.mil/au/awc/awcgate/dhs/national_bp_strategy.pdf+&cd=1&hl=en&ct=clnk&gl=us.

U.S. Department of Justice. “U.S. Attorney General Announces Registration Requirements for Certain Nonimmigrant Aliens.” November 6, 2002.

———. “Iranian Convicted of Running Profitable Alien Smuggling Operation in South America.” October 3, 2002.

———. “Second Phase of National Security Entry-Exit Registration System Announced.” November 22, 2002. http://www.justice.gov/archive/opa/pr/2002/November/02_ag_649.htm.

U.S. Department of State. *Country Reports on Terrorism 2013*. Washington, DC: U.S. Department of State, 2014. http://www.state.gov/j/ct/rls/crt/2013/224825.htm.

———. *Country Reports on Terrorism 2014*. Washington, DC: U.S. Department of State, 2015. http://www.state.gov/j/ct/rls/crt/2014/239409.htm.

U.S. Department of State Office of the Historian. “Travels of President George W. Bush.” Accessed July 22, 2015, https://history.state.gov/departmenthistory/travels/president/bush-george-w.

U.S. Immigration and Customs Enforcement. “Ghanaian Pleads Guilty to Conspiracy and Alien Smuggling Charges.” U.S. Department of Homeland Security. April 22, 2008. http://www.ice.gov/news/releases/ghanaian-pleads-guilty-conspiracy-and-alien-smuggling-charges.

van Liempt, Ilse. *Navigating Borders: Inside Perspectives on the Process of Human Smuggling into The Netherlands*. Amsterdam: Amsterdam University Press, 2007.

Wassem, Ruth Ellen. *Asylum and “Credible Fear” Issues in U.S. Immigration Policy* (CSR Report No. R41753). Washington, DC: Congressional Research Service, 2011.

The White House. *National Strategy for Preventing Terrorism*. Washington, DC: The White House, 2006. http://georgewbush-whitehouse.archives.gov/nsc/nsct/2006/.

Whitfieild, Nathan. “Traveling the Terror Highway: Infiltration of Terror Operatives across the U.S.-Mexico Border.” Master’s thesis, Naval Postgraduate School, 2012.

THIS PAGE INTENTIONALLY LEFT BLANK

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
   Ft. Belvoir, Virginia

2. Dudley Knox Library
   Naval Postgraduate School
   Monterey, California